

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting of the Board of Trustees
Monday, April 22, 2013

President Abboud called the Regular Meeting to order at 7:31 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

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

Guests

P. Denise Israel, resident
Emily McHugh, resident
Dave & Rae Buckley, residents
Michael & Colleen Hannigan, residents
Jack Reich, Resident
Jon Knight, resident
Divyang Joshi, resident
Marvin Husby, resident
Charles & Mary Ellen Peterson, residents
John & Karen Rosene
Terri Holt, resident
Dan Wolfgram, resident
Carl Lowry, resident
Kim & Chuck VanFossan, residents
Dede Wamberg, resident
Brian Dunlap, resident
Jim Hammond, resident
Dan Strahan, Village Engineer

PUBLIC SESSION

PUBLIC COMMENTS:

Marvin Husby, Pond Gate – thanked the Board for all their work with IAA. Pond Gate residents started discussions with East Dundee and it was very helpful the when the Board got involved. He hopes the new Board continues this work because it is all about our water.

Brian Dunlap, Pond Gate – thanked President Abboud for all his work with IAA. It is super important that we keep looking into this matter.

Divyang Joshi, Pond Gate – Thanked the Board for all their work with IAA and thanked President Abboud for visiting the Wheeling site on his own time.

Carl Lawry, 811 Magnuson Ct – Thanked the Board and want the new Board to really look into this matter. Whatever facility goes in the IAA site, things will change.

Jack Reich, 110 Brinker – read the following statement. So as not to be misunderstood, I’m going to read my comments into the record. The published agenda for today’s Board of Trustees meeting shows an item at the end of the meeting under Administration with Robert G. Abboud’s name assigned to discuss “[Approval] Appointments”. Last week, many of the Board of Trustee members will recognize that I was the only member of the public who attended the Finance Committee meeting. Mr. Abboud controlled much of the discussion with the auditors about the status of the police pension fund. Mr. Gohl inserted comments regarding the make up of the Fund Board and Mr. Abboud reaffirmed to Mr. Gohl that we have one of the two Village appointees currently filled. Relative to these comments, Mr. Abboud stated at the meeting that he was on the phone earlier that day, April 16, with a person who had just accepted his offer to join the Pension Board.

Putting together this comment with the “Approvals” agenda item raises concerns that the Board intends to approve this and possibly, other appointments later at today’s meeting. Because we are only two weeks away from a transition of leadership, I believe it would not be prudent for the Board to approve any appointments. I certainly can’t comment on what the agenda intends to discuss relative to appointments since no other public information has been made available. However, if any appointments do come up for vote tonight, it would be inappropriate for any Trustee to support such recommendations. I strongly encourage Trustees to take the path of good ethics in our small Village and to wait two weeks for the new Board to be in place.

Presentation: President Abboud presented a Plaque to Skip Gianopulos for his two years of service as a Trustee and to Elaine Ramesh for her five years of dedicated service as Trustee.

APPROVAL OF MINUTES

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

Motion Approved

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

Motion Approved

Trustee Gohl motioned to approve the Minutes of the April 4, 2013 Special meeting. Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Gohl made the motion to approve the April 4, 2013 Special Executive Minutes, Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Selman made the motion to dispose the Executive Session Meeting Recordings of July 25, 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 March, 2013. Trustee Meroni seconded. All present said Aye.

Motion Approved

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

Motion Approved

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

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

Nays: 0

Absent: 0

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of March 16, 2013 to April 15, 2013, totaling \$282,932.15. Trustee Meroni seconded. Roll Call.

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

Nays: 0

Absent: 0

Motion Approved

MFT Audit – Dan Strahan, Village Engineer advised the MFT Audit was reviewed with the Finance Committee on April 16th. Trustee Selman motioned to accept the MFT Audit. Trustee Meroni seconded. Roll Call.

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

Nays: 0

Absent: 0

Motion Approved

ROADS & BRIDGES – Patty Meroni

Monthly Report

2012 Road Program - Our 2012 contractor, Geske & Sons, Inc. have agreed to do additional pavement cores to demonstrate that the thickness on Dundee Lane is adequate. The pay request is attached for approval.

2013 Drainage Program - The bids have been received and are attached. The lowest bid is \$30,000 over the budgeted amount and Dan Strahan's recommendation is attached along with a resolution to award the 2013 Drainage Program to A Call Construction. We are trying to schedule a meeting with Braeburn Lane residents to review their flooding problems prior to the start of work. Trustee Meroni motioned to approve the awarding of the 2013 Drainage Program to Call Construction for \$114,163. Trustee Selman seconded. All present said Aye.

Motion Approved

Cuba Road Bridge - The Phase Two Engineering Agreement approving Gewalt Hamilton as the engineering firm for the Cuba Road Bridge project is attached for Board approval and will be submitted to IDOT. We are still awaiting IDOT approval of environmental clearances.

Spring Creek Road - The Village will request FAU Route Designation status thereby qualifying for funding in jurisdiction with Algonquin Township.

Homeowners Association Meeting - The meeting will be postponed until fall.

Seasonal Road Weight Limits - Due to the extensive flooding following last week's historic rains, the weight limits will be extended as necessary.

Cuba Road Bridge Engineering Service with GHA - Trustee Meroni motioned to approve the Cuba Road Bridge Engineering Service Contract to be submitted to IDOT. Trustee Ramesh seconded. All present said Aye.

Resolution 13-08

PUBLIC SAFETY – FRITZ H. GOHL

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

BUILDING AND ZONING - Joseph S. Messer

Monthly Report – Trustee Messer advised that there were nine building permits issued in March, 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 cut service to this property. In court on February 15, 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: Trustee Meroni received a complaint regarding the condition of the horses and then Building Department checked investigated and contacted the IL Department of Agriculture by email, including photos on April 4th. The ILGA opened another case and turned it over to Donna Ewing (H.A.R.P.S.) to investigate. Certified letter mailed April 19th to Marlene Stallone (mother) and Tony Stallone (brother) regarding the horses' physical condition, care and inadequacy of enclosure. No address information is available for Marie or Laura Stallone.

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. Citations issued for 4-2-7 (D) discharge of sewage, 4-3-3 (1) altered drainage and 7-1-2 created cesspool. 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.

Update: Certified letter signed for March 28th and advised a response to correct the issues was due within fourteen (14) days from receipt of letter and no response has been made to the Building Department or Village Engineer to date. Village Engineer visited site and advises condition still exists.

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: Property owner appeared for April 12th court date and property owner has agreed to comply within sixty days, return date June 18th.

385 Spring Creek Road: Expired pond permit issued August 7, 2006. 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. Per the mortgage bank's attorney, home was sold back to bank on October 22nd with confirmation date of January 23rd. Dry hydrant is still under consideration in the 2013 Road Program.

Update: Village Engineer to contact property owners. Sale confirmation set for June 10th.

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

Update: Spoke with owner representative on April 16th who advises owner is living on site and requested Village Engineer's report be sent again to property. Sent by certified mail.

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: Attempted to contact property owner April 16th, left voicemail message on cell, no answer at residence.

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

Update: Still awaiting plan revisions and property has been put up for sale.

ZBA Monthly Report – The ZBA meeting of April 15th had been cancelled. Trustee Messer motioned that the Board pass a proposed amendment to the Building Code to make it uniform. Trustee Gohl seconded and proposed an Ordinance be crafted. All present said Aye.

Motioned Approved

ZBA Report Public Hearing Request – Trustee Messer motioned putting the ZBA's request for public hearing to the May 20th meeting as he would like changes to sections 5-10-3 and 5-10-4. Trustee Gohl seconded. All present said Aye.

Motion Approved

PLANNING – Elaine M. Ramesh

Monthly Report: The Plan Commission's monthly meeting was cancelled due to lack of quorum of membership. This has been an ongoing problem for a number of months due to a combination of lack of volunteers to fill the vacancies on the Commission and a lack of availability of the existing members. A CMAP representative had been scheduled to attend the meeting.

Spring Creek Watershed Partnership: Sharon Osterby has been named the new part-time coordinator for the organization. An invoice has also been forwarded to the Village for payment.

Kane County Riverboat Grant Program: Kane County grants funds to public agencies and not-for-profit organizations for education, economic development and environmental projects. The funding comes from profits received by the County from Grand Victoria Casino. I suggest that the Plan Commission should review the grant guidelines and see if the Village has any projects which may qualify for the grant.

CMAP/RTA Merger: There is a current movement to consolidate the RTA into CMAP. In McHenry County, the RTA controls 1% of county sales tax. Upon consolidation, CMAP would control the funds. It is to be expected that CMAP would have an even greater regional role; and therefore that a relationship with CMAP may be even more important than before.

Barrington Open House on Rt 14/EJE Track Grade Separation: Barrington will hold a public meeting to discuss their feasibility study for a proposed grade separation on April 25th. A flyer with detailed information was distributed.

McHenry County Affordable Housing Initiative: McHenry County Board Representative Nick Chirikos has requested to meet with someone from our Village Board regarding McHenry County's plans.

East Dundee/Auto Auction Matter: This matter was discussed at the February 21st meeting of the McHenry County Plan Commission. Member McCann brought up the issue and asked whether McHenry County had regulations to prevent such a development. Member Chirikos indicated that the County should examine the situation to be sure that the county ordinances for salvage yard conditional uses provide adequate aquifer protection.

Jelkes Creek – Fox River Watershed: Trustee Ramesh advised that a third Watershed, Jelkes Creek, located on the western boundary of our Village, has asked for the Village's assistance. She stated that we are already assisting Spring Creek and Flint Creek Watersheds and at this time, she didn't feel it was feasible for the Village to assist.

INSURANCE – Harold Gianopulos

Monthly Report – Nothing new to report.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Monthly Report – Lorraine Briggs, member of the Heritage and Environs Committee, is placing birdhouses in existing memorial trees on the Village grounds.

Roadside Clean-up/eWaste April 20th - P. Denise Israel, chair of the Heritage & Environs Committee advised the Board that thirty two volunteers came for the Roadside Trash Pick-Up event. Several will be going back this Wednesday to finish up. The postcard sent out was a big success. The roll-off container, provided by Prairie Land, was filled from eWaste and 93 bags of trash was collected. The next road side clean-up will be in October.

ATTORNEY – Doug Wambach

Pending Litigation – Updates included in Board of Trustees packet.

Personnel – No report.

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 afternoon schedule is an attempt to have little conflict with other area events.

ADMINISTRATION – President Abboud

Appointments – President Abboud addressed the Board and Public regarding appointments that are made in April as that is the month when many of the appointments expire.

First is the Legal Committee reappointment of Alan Hoffman, Catherine Klima, Steven Knoop and Bruce Goodhart. He would also like to appoint Leslie Coolidge, a long time resident. Trustee Selman motioned to approve these appointments, Trustee Meroni seconded. Roll Call.

Aye: 4 (Selman, Meroni, Ramesh & Abboud)
Nay: 3 (Gianopulos, Messer & Gohl)
Absent: 0

Motion Approved

President Abboud asked for a motion to reappoint Alan Hoffman as Chairman Legal Committee. Trustee Selman motion to approve this reappointment. Trustee Ramesh seconded. Roll Call.

Aye: 3 (Selman, Ramesh & Abboud)
Nay: 4 (Gianopulos, Meroni, Messer & Gohl)
Absent: 0

Motion Not Approved

President Abboud asked for a motion to approve a reappointment to the Plan Commission of Kelly Mazeski, and appoint Paddy McKeivitt, Patricia Abboud and Kristina Anderson to the three vacant positions. No motion was made.

President Abboud asked for a motion to reappoint Ken Bosworth as Chairman of the Plan Commission. Trustee Gohl motioned to reappointment Ken Bosworth as Chairman of the Plan Commission. Trustee Meroni seconded. Roll Call.

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

Motion Approved

President Abboud stated that there are two positions open on the Zoning Board of Appeals. One expired in 2012 that is occupied by Karen Rosene. Trustee Messer motioned to approve Karen Rosene's reappointment. Trustee Meroni seconded. Roll Call.

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

Motion Approved

President Abboud would like to appoint Bruce Pfaff to the second vacant position which was held by Nancy Masterson. Nancy has asked not to be reappointed. Trustee Messer motioned to approve the appointment of Bruce Pfaff to the ZBA. Trustee Meroni seconded. Roll Call.

Aye: 5 (Meroni, Selman, Messer, Ramesh & Abboud)
Nay: 2 (Gianopulos, Gohl)
Absent: 0

Motion Approved

President Abboud thanked Nancy Masterson for her service to the ZBA.

President Abboud stated that the Board of Health terms expire in October, so he will let the next administration handle those appointments

President Abboud stated that the Communications Committee is a seven member committee with one vacancy. He asked for a motion to reappoint the current members. Trustee Messer motioned to approve the reappointment of the Communications Committee. Trustee Meroni seconded. Roll Call.

Aye: 5 (Meroni, Selman, Messer, Ramesh & Abboud)
Nay: 2 (Gianopulos & Gohl)
Absent: 0

Motion Approved

President Abboud stated that the Equestrian Commission has five members with a one year term. He proposed the reappointment of the current members. Trustee Messer motioned to approve the reappointment of the Equestrian Commission members. Trustee Selman seconded. Roll Call.

Aye: 5 (Meroni, Selman, Messer, Ramesh & Abboud)
Nay: 2 (Gianopulos & Gohl)
Absent: 0

Motion Approved

President Abboud stated that there are seven members on the ETSB Board, however, two are pre-term and per position, so there are five members to reappoint. President Abboud asked for a motion to reappoint the existing members of the ETSB. Trustee Meroni motioned to approve the reappointment of the ETSB members. Trustee Messer seconded. Roll Call.

Aye: 5 (Meroni, Selman, Messer, Ramesh & Abboud)
Nay: 2 (Gianopulos, Gohl)
Absent: 0

Motion Approved

Trustee Gianopulos wanted to comment on his No Votes. His understanding why all of these positions came up in April, is that when the transition happened and it allowed for the new régime essentially to make to appoints. Given the way the votes are counted to certify the election, that time is delayed to May. He stated he was sorry for voting No, but he felt what the Board is doing is not in the character of the way that the date of these reappointments were initially intended.

President Abboud said that is not the basis of the Vote. The basis goes way back to when the Village was founded and is not related to a political construct.

President Abboud asked for a motion for the reappointment of George Moser as Chairman of the ETSB. Trustee Messer motioned to approve the reappointment of George Moser. Trustee Meroni seconded. Roll Call.

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

Motion Approved

President Abboud proposed for a motion for the reappointment of the eight members of the Heritage and Environs Committee for the term of 1 year. Trustee Meroni motioned to approve the reappointment of the HEC members. Trustee Selman seconded. Roll Call.

Aye: 5 (Meroni, Selman, Messer, Ramesh & Abboud)
Nay: 2 (Gianopulos & Gohl)
Absent: 0

Motion Approved

This concludes the appointments.

Trustee Gohl made the motion to adjourn the Public Session at 9:37 p.m. Trustee Meroni seconded. All present voted Aye:

Meeting Adjourned

Approved