

MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 13th DAY OF SEPTEMBER 2007

CALL TO ORDER Mayor Thomas P. Hyde called the meeting to order at 7:30 pm. Those present stood and pledged allegiance to the flag.

ROLL CALL Roll call indicated the following present: Trustees Garling, Herrmann, Ponio, Saville and Verciglio. Absent: Trustee Sadoski

Also in attendance was: Village Attorney Scott Puma; Captain Joseph Arrizzi, Wauconda Fire Department; Neal DeYoung, Water Department; Connie Mascillino, EMA Director; Sharon Hyde, Creative Playtime and Karen Luebbers, Recreation Department.

1. Approval of the minutes – August 2, 2007, August 9, 2007 and August 23, 2007

Trustee Verciglio stated that the August 2nd meeting he has a correction – page 6 of 7. The second paragraph is states “Trustee Garling.....”, Trustee Verciglio said the very next statement should have been Trustee Ponio, not Trustee Garling.

Motion by Trustee Garling, properly seconded to approve the meeting minutes from August 2, 2007, August 9, 2007 and August 23, 2007 along with the change to the August 2nd meeting minutes.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio.

NAYS: Trustee Ponio

ABSENT: Trustee Sadoski

ABSTAIN: None

Motion was declared carried.

COMMITTEE REPORTS

1. BUILDING, ZONING AND ORDINANCE

Trustee Herrmann summarized the BUILDING, ZONING AND ORDINANCE report for the month of August: Trustee Herrmann stated that for August 2007: Building fees were \$117,095, water connection fees \$54,903 and total permits issued were 87. Electrical compliance inspections – there were 19 with a total of \$950 collected. 10 ordinance warnings were issued and there were 0 rental inspections. Total fee for the month were: \$172,948.00.

Motion by Trustee Garling, properly seconded to approve the BUILDING, ZONING AND ORDINANCE report as presented by Trustee Herrmann. Upon voice vote, motion was unanimously declared carried.

2. FINANCE AND ADMINISTRATIVE

Trustee Herrmann summarized the FINANCE AND ADMINISTRATION report for the month of August: 43 residents have had garbage pick up suspended for non payment. 13 red tags were posted for shut off and all have paid and/or made arrangements. 29 residents moved into and out of the Village in August. Garbage bills were due and late notices have been sent. Section B water bills were sent out and John is preparing for the auditors who will be coming out all next week.

Motion by Trustee Garling, properly seconded to approve the FINANCE AND ADMINISTRATION report as presented by Trustee Herrmann. Upon voice vote, motion was unanimously declared carried.

3. POLICE AND PUBLIC SAFETY

John Fellmann summarized the POLICE AND PUBLIC SAFETY activity report for the month of August: 1371 Calls for Service, 48 criminal offenses, 19 criminal arrests, 87 ordinance violations, 198 traffic citations issued, 11 accidents reports, 4 warrants served and 121 parking tickets issued. Lake County Courts collected \$3440.99.49, McHenry County Courts collected \$7013.16, \$19,553.11 in Miscellaneous, Police Vehicle Fee \$583.75 and Dispatch Fees \$3344.42. Total collected for the month of August: \$36,389.42.

Chief Fellmann stated that police department upgrades have begun and improvements to its computer server and network. The department said farewell to a part time Officer and the Code Enforcement Officer. The Police Department was the beneficiary of corporate generosity and received six like new office chairs. The department received a planned replacement squad car this past month and it has been outfitted for street deployment. Matthews Middle School had it's opening Tuesday, September 4th.

Motion by Trustee Herrmann, properly seconded to approve the POLICE AND PUBLIC SAFETY report as presented by Chief Fellmann. Upon voice vote, motion was unanimously declared carried.

4. PARKS, RECREATION AND EDUCATION

Trustee Verciglio presented the report for the month of August: Park and Recreation revenue collected thus far \$41,035.00. The Club program has a current enrollment of 70 students and revenues are \$72,150.00. Creative Playtime is back in session. Current revenues are \$10,154.75.

Motion by Trustee Herrmann, properly seconded to approve the PARKS, RECREATION AND EDUCATION reports as presented by Trustee Verciglio. Upon voice vote, motion was unanimously declared carried.

5. PUBLIC WORKS

Trustee Saville summarized the Public Works report for the month of August: Curb work was completed on Janet Drive with concrete work, asphalt and restoration of black dirt as well as it was seeded. Sandbags were filled and a load was taken to Wauconda Public Works, Wauconda Township and Fox Valley Gardens. New truck #9's hitch was fabricated-welded, primed, painted and installed. Two employees worked the SWALCO electronics event. Hornets nests were taken down throughout the Village. Graffiti was removed from Vista Park at the playground. The spillway was opened and closed as needed and the park and beaches were opened, cleaned, playgrounds and beaches rakes, and trash picked up. Materials used to date: Year to date: 10.5 years of concrete mix, 58.98 tons of modified asphalt, 14.4 tons of sand and year to date grade 9, 19.35 tons.

Motion by Trustee Herrmann, properly seconded to approve the PUBLIC WORKS report as presented by Trustee Saville. Upon voice vote, motion was unanimously declared carried.

6. ECONOMIC DEVELOPMENT

Trustee Garling said that he is working on the Deal Making Show on flyers, brochures, etc. He is working on the Downtown Development Committee. There are 5 members thus far. He is seeking more members.

Motion by Trustee Herrmann, properly seconded to table the ECONOMIC DEVELOPMENT report as presented by Trustee Garling. Upon voice vote, motion was unanimously declared carried.

Consent Agenda Items:

Items under the Consent Agenda are considered routine and/or non-controversial and will be approved by one motion. If anyone (board member, staff, or citizen) wishes to have a separate vote on any item, it will be pulled from the Consent Agenda and voted on separately.

1. *Approval to pay the bills*

Motion by Trustee Garling, properly seconded to approve the items in the Consent Agenda.

Trustee Ponio had several questions on various items. Lake Design/temporary help in the Building Department. That was for Dan O'Neal who filled in while Frank DeSort was out of town. The second, was Peter Baker and Sons. He is curious about the contract and the work done on Janet Drive. Trustee Saville stated that this is day to day Public Works work. Trustee Ponio replied that he feels that substantial work was done in that area with regard to storm sewers, etc., and he'd like to know who did all the work, who did the calculations, etc. He said that storm drains need to be calculated out and he's like to see the paperwork. Trustee Saville will get back to Trustee Ponio with answers to his questions.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Sadoski, Saville and Verciglio
NAYS: None
ABSENT: Trustee Sadoski
ABSTAIN: Trustee Ponio*

Motion was declared carried.

Agenda Items:

1. *Swearing in of Officer Pagliaro*

Chief Fellmann provided the background on Officer Pagliaro along with his accomplishments and training. Mayor Hyde presented the Oath to Officer Pagliaro.

The Board recessed for 20 minutes for cake/coffee.

2. *Approval of Resolution # 536-07 Endorsing Metropolitan Mayor's Caucus Greenest Region Compact*

Motion by Trustee Garling, properly seconded to approve Resolution # 536-07 Endorsing Metropolitan Mayor's Caucus Greenest Region Compact

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Saville and Verciglio
NAYS: Trustee Ponio
ABSENT: Trustee Sadoski
ABSTAIN: None*

Motion was declared carried.

3. *Approval of # 537-07 Resolution Regarding Positive Village Board Discussion at Meetings*

Trustee Ponio questioned who will enforce this resolution and Trustee Herrmann replied that the resolution is an agreement, not a law. Trustee Ponio asked how it is to be determined how long a topic is considered to be old. Attorney Puma stated that there is no enforcement. That this is a declaration of a policy. Like an attempt to start over and try again. He said that there have been long meetings, negative tones and statements, etc., for weeks. Attorney Puma explained that this is a feel good proposition in an attempt to try to get along and start again. He added that if this is approved this evening, it's more of a

self policing policy. Attorney Puma said that everyone has a right to say what they want anytime though. Trustee Ponio inquired about the attorney costs associated with this resolution and Attorney Puma replied that he would have to get back to Trustee Ponio. Trustee Ponio stated that no one can enforce this resolution and he does not agree with the resolution. Mayor Hyde stated that this is the Board trying to step forward in a positive manner. He applauded Trustee Herrmann for working on this.

Motion by Trustee Herrmann, properly seconded to approve Resolution # 537-07 Regarding Positive Village Board Discussion at Meetings.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Saville and Verciglio
NAYS: Trustee Ponio
ABSENT: Trustee Sadoski
ABSTAIN: None

Motion was declared carried.

4. Discussion and decision regarding the Newport sidewalk (3116 Debra Drive)

Trustee Verciglio stated that himself and Mayor Hyde went to look at this area in order to see the situation with the short driveways that were put in. He said that two addresses have very short driveways. He recommended that the sidewalk be moved but that they have to review this, develop the costs for this project, etc. Trustee Verciglio stated that this happened when the subdivision went in and some homeowners are getting tickets year after year as their car hangs over the sidewalk when it's parked in the driveway. 2 trees will most likely have to be moved as well. He added that this should be at the Village's cost. Willie Kootstra will come up with a plan. Trustee Ponio stated that it should be made sure, before all the work starts and is finished, that a car can be parked in a driveway and will no longer hang over the sidewalk. He just wants to make sure that if the Village is spending the time and money on such a project, that it is completed correctly.

5. Approval to amend Ordinance No. 1311-07 Regarding the Salary and General Terms of Employment of the Village Interim Police Chief

Motion by Trustee Verciglio to table this matter since Trustee Sadoski is not here this evening, properly seconded.

Upon roll call, Trustees voted as follows:

AYES: Trustees Ponio, Verciglio and Mayor Hyde
NAYS: Trustee Garling, Herrmann, Saville,
ABSENT: Trustee Sadoski
ABSTAIN: None

Motion to table fails due to a tie vote.

Motion by Trustee Garling, properly seconded to approve the amendment to Ordinance No. 1311-07 Regarding the Salary and General Terms of Employment of the Village Interim Police Chief.

Mayor Hyde said that he remembers at the last meeting when Trustee Herrmann expressed concern for a zoning review and she wanted 3 to 4 days to review the matter before a vote. He said that here this evening there's a discussion on a motion that the head of the department is not here this evening and was asking to have this tabled this evening. Mayor Hyde said that this Board has not had any discussion on this as a total group. He added that this has to do with the number one person in that department and cutting this persons salary 25 to 35%. Mayor Hyde feels that the Board needs discussion on Executive Session on this matter before voting on this. He does not believe it is appropriate and if a vote is taken this evening, he feels it is disrespectful to fellow Trustees who have asked for this to be tabled. Trustee Herrmann replied that she spoke to Trustee Sadoski earlier today and the ordinance came up and Trustee Herrmann explained to her that this has been an ordinance that has been on the table for several months and she is concerned that nothing has been brought forward regarding this ordinance in the past 3 meetings. Trustee Herrmann does not see anything that will be said different tonight, next time, etc., to

change the ordinance. She said it is again general terms of employment for an interim police chief so that the Village does not have a standing interim police chief as this Village needs a person in a leadership role that will be a long time position and that's not what the Village has right now. Mayor Hyde asked if Trustee Herrmann was aware that Trustee Sadoski has a contract and asked if Trustee Sadoski spoke to Trustee Herrmann about it. Trustee Herrmann said that Trustee Sadoski has not spoken to her about a contract. Mayor Hyde said that the Police Committee has been working on a contract. Attorney Puma said that he prepared a contract sometime ago. Trustee Saville said that the contract through has nothing to do with the ordinance. Mayor Hyde said the contract relates to the ordinance due to the person involved. Trustee Saville and Herrmann said it does not. Trustee Saville explained that the ordinance is very plain and simple and it's an ordinance for anyone that may be an interim police chief, that no name is on this and that this matter has been going on since January. He said that as far as the ordinance goes, it is good for anyone that is in that position. He said that Mayor Hyde brought up his viewpoints this evening on this, which he is entitled to, and he said that Mayor Hyde has also brought up that as long as he is Mayor, that there is going to be an interim chief. Mayor Hyde said the Committee is moving forward and they should be given a chance. He said that the Committee has a contract built and ready to go but hasn't presented it to the Board yet. Mayor Hyde said the Board has not given the Trustee that's head of the department a chance to present it as she has not been at the last 2 meetings. Trustee Saville said though that again it has nothing to do with this ordinance. He said that this is a safe check for the people of Island Lake and the Board to prevent a Mayor from appointing an interim police chief for an indefinite amount of time and that's all that this is for. The contract can be discussed later. Trustee Garling called point of order and the question has been called. Attorney Puma said Trustee Ponio has a right to speak. He said it's not in the spirit of the Roberts Rules of Order. Trustee Ponio stated that he understands what Trustee Saville is saying but that when it came down to voting previously on Public Works employees salaries, he is not in favor of decreasing pay. Trustee Ponio said Chief Fellmann has been serving the community and he is entitled to his compensation and he may even be entitled to more compensation that he is receiving. He is not in for sending a message to him or any other employee that is the Board does not like what's going on with someone that they will vote to decrease someone's pay. Trustee Saville said for the record, once again, this has nothing to do with anyone but that it's just an ordinance. Trustee Ponio stated that if the Board does not think that Chief Fellmann is the person for the job, the Board should be interviewing people. Trustee Ponio said that he is entitled for a certain amount of pay for the job, not the person but the job, whether the Board likes the person or not, he is entitled to fair compensation. He feels that this is a fair amount of money, or even a little less than fair, for the job that he does for our Village. He does not feel that this should be hanging over his head. Trustee Saville said that they are talking about an ordinance.

Upon roll call, Trustees voted as follows:

AYES: Trustees Herrmann, Saville and Garling
NAYS: Trustee Verciglio, Ponio and Mayor Hyde
ABSENT: Trustee Sadoski
ABSTAIN: None

Motion was declared failed.

6. Approval of ordinance 1313-07 Taping of Closed Sessions

The fine was set from \$50 up to \$500.

Motion by Trustee Ponio, properly seconded to approve ordinance 1313-07 Taping of Closed Sessions with a fine of not less than \$50 and up to \$500.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Saville and Verciglio
NAYS: None
ABSENT: Trustee Sadoski
ABSTAIN: None

Motion was declared failed.

7. *Approval of ordinance 1314-07 amending 1-6-4-1 and 1-6-6 regarding meetings and committees*

Trustee Ponio stated that the Board may be moving too quickly and that possibly the second voting meeting is too quick. Trustee Garling questioned though that they are in violation then otherwise. Trustee Herrmann said that if the Board is not ready for a vote of an agenda item, it can always be tabled. Trustee Ponio felt that this should be in two ordinances.

Motion by Trustee Herrmann, properly seconded to approve ordinance 1314-07 amending 1-6-4-1 and 1-6-6 regarding meetings and committees and making two meetings a month, the 2nd and 4th Thursday, voting meetings.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Saville and Verciglio

NAYS: Trustee Ponio

ABSENT: Trustee Sadoski

ABSTAIN: None

Motion was declared carried.

8. *Approval of ordinance 1315-07 to sell the Island Lake Recreation Department bus*

Mayor Hyde asked to add also the truck from Public Works.

Motion by Trustee Garling, properly seconded adding the old mail truck to be sold along with the approval of ordinance 1315-07 to sell the Island Lake Recreation Department bus.

Trustee Herrmann said that the original ordinance that was presented 2 days ago does not include the truck. Attorney Puma said that the truck can not be added as the public was made aware of the sale of a bus, not a truck.

Motion by Trustee Garling, properly seconded to amend the motion, remove the truck from the motion and vote to approve ordinance 1315-07 to sell the Island Lake Recreation Department bus.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Saville and Verciglio

NAYS: None

ABSENT: Trustee Sadoski

ABSTAIN: None

Motion was declared carried.

9. *Approval of ordinance 1316-07 Sale of Village property*

Motion by Trustee Garling, properly seconded to approve ordinance 1316-07 Sale of Village property

Trustee Saville stated that this ordinance is being conducted as an after the fact approval and to cover the error that was made.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Ponio, Saville and Verciglio

NAYS: None

ABSENT: Trustee Sadoski

ABSTAIN: None

Motion was declared carried.

10. *Approval of True Value temporary tent permit for September 21, 22 and 23, 2007 and approval to waive the noise ordinance for Saturday September 22, 2007 from 11 am to 3 pm*

Motion by Trustee Herrmann, properly seconded to approve a temporary tent for True Value for September 21, 22 and 23, 2007 and approval to waive the noise ordinance for Saturday September 22, 2007 from 11 am to 3 pm.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Saville and Verciglio
NAYS: None
ABSENT: Trustee Sadoski
ABSTAIN: None*

Motion was declared carried.

11. *Approval of \$330 for Trustee Garling to attend the Chicago Deal Makers Show on October 25 & 26*

Motion by Trustee Garling, properly seconded to approve \$330 for Trustee Garling to attend the Chicago Deal Makers Show on October 25 & 26.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Saville and Verciglio
NAYS: None
ABSENT: Trustee Sadoski
ABSTAIN: None*

Motion was declared carried.

12. *Approval of \$ 27,500 for design services and \$1200 for bidding services to Baxter and Woodman for the CDBG 2007*

Motion by Trustee Saville, properly seconded to approve \$ 27,500 for design services and \$1200 for miscellaneous bidding services to Baxter and Woodman for the CDBG 2007.

Trustee Ponio stated that he would like to make sure that when they put the specs together that they put in there that they will put things back the way that they found them so the Board does not get caught with putting \$11,000 worth of gravel on the side of the road. Trustee Saville stated that Mr. DeYoung will handle it appropriately.

Upon roll call, Trustees voted as follows:

*AYES: Trustees Garling, Herrmann, Ponio, Saville and Verciglio
NAYS: None
ABSENT: Trustee Sadoski
ABSTAIN: None*

Motion was declared carried.

13. *Approval to award bid to Municipal Well & Pump and the Water Supply Well No. 10 Construction project in the amount of \$117,740.00*

Motion by Trustee Saville, properly seconded to award bid to Municipal Well & Pump and the Water Supply Well No. 10 Construction project in the amount of \$121,860 adding \$4120 for a 3.5% contingency.

Trustee Ponio asked if the permits are in place for this project. Kevin Sutherland said that it is in process. Not all the permits are in hand. Trustee Ponio asked where the money is coming from in order to pay for this project. Mayor Hyde said that there is \$1.688142.92 in that account, there is developer revenues coming in in the amount of \$3.360 so there is about \$5 million dollars total. He said there is about \$2 million in the bank and the Board is looking at an expenditure from the water department in the amount of

\$121, 860. He said that the Village is sufficient in funding in order to cover this. Trustee Ponio verified that this is a \$5 million dollar project. Mayor Hyde said that this is not \$5 million but rather a project for \$121,860. Trustee Ponio said this is just one little part of the \$5 million dollar project though. He said that with the housing market as it is today, it could be a lot longer before the Village sees the money though from the developers. Trustee Ponio said water is not needed for 3 years and housing development has dropped off significantly. Trustee Saville said that that area will be developing and this is only one phase in order to start this project. Where it goes after this, the Board has to decide. In speaking with Mr. Little, Trustee Saville said that John Little has reported that money has been earmarked for this. He has not gotten into the rest of the project though yet and is yet to be discussed by the Board. Trustee Ponio said though that there is enough water in the Village now to supply water. Kevin Sutherland explained that it could have a tower there and/or there could be a well and a treatment facility without the tower and it can run okay; however, water does need to get out that way. Trustee Ponio is curious why the Board just doesn't wait.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Saville and Verciglio
NAYS: Trustee Ponio
ABSENT: Trustee Sadoski
ABSTAIN: None

Motion was declared carried.

14. Discussion of Village Hall security

Trustee Saville stated that he would like this handled by the Chief of the Police Department. He said that Public Works is not security experts. He said the security experts are the Police Department. Trustee Saville said all the PD did thus far was send us a memo but he would like them to handle security. Trustee Verciglio stated that he thought Mr. Kootstra was working on obtaining proposals. Trustee Saville said that yes, Mr. Kootstra is working on quotes and recommendations; however, he would like the security end handed over to the Chief and Police Department. Attorney Puma stated that in most Villages, the Police Department does handle the Village's security. Trustee Verciglio said the project was handed over to Mr. Kootstra just to gather information. He said that there is no association between gathering information and who will implement security measures. Trustee Saville stated that he was just bringing this up because he does not feel that this is a Public Works item to handle long term other than gathering some information on possible recommendations for security.

15. Discussion of Caller ID system for the Village

Tabled due to Trustee Sadoski being absent this evening.

Items from the Clerk, Department Heads and Trustees

- Trustee Saville has spoken with Mr. Kootstra and Mr. DeYoung as well as Larry from Public Works regarding the gate for Spruce Terrace. The same gate at the middle school is not conducive for this purpose due to plowing. He said that that is private property; however, where Spruce Terrace is, it's the responsibility of Public Works to plow. Trustee Saville said the Board has a safety responsibility with regard to this matter. Emergency vehicle consideration also has to be discussed. He said that a locking device is not necessary and that a latch type closure would be sufficient. Trustee Saville said that it's the Board responsibility to ensure safety. He said if someone gets out of their car and opens up the gate, possibly the Board should pass an ordinance with a fine for those that perform that action and drive through there anyway.
- Trustee Saville said that the Water Department will be hiring someone. It is already in the budget. Trustee Saville addressed the Sprint/Nextel antenna matter. He spoke to Erin at Sprint/Nextel and they have put together an amendment. Attorney Puma has reviewed the amendment already. He would like this placed on the agenda for a vote for next time. He explained that 3 antennas will be added and the monthly rental rate will go up to \$1950 per month. Trustee Saville also had them add to the agreement that Sprint/Nextel is responsible for reimbursing the Village for the final inspection of the Villages choice.

- Trustee Saville received information on the Piotrowski variation request matter. He would like Mr. Piotrowski to attend the next meeting and present this to the Board and then vote on this at a later time when everyone has had an opportunity to review all the information.
- Trustee Saville mentioned the letter the Village received regarding 403 E. Burnett Road. This individual is supposed to be hooking up to the water system. They are asking for an extension as they are adding onto their home and are asking to wait until the addition is complete to hook up to the water.
- Trustee Garling requested Executive Session for the sale of Village property.
- Trustee Verciglio reported that the Park and Recreation guide is out for the Fall. There are a lot of upcoming events and activities. Trustee Verciglio stated that two additional people were added to Park and Recreation for the Club program. There is additional income so this will off set the cost of help.
- Trustee Verciglio announced that the Village Board/Employee Holiday Party has been set for December 7th.

Items from the Mayor

- Mayor Hyde stated that he sent an email to the Board regarding a problem cat issue in the Village.
- Mayor Hyde is receiving a lot of information on highway improvements. He asked a Board Member to take this over and keep an eye on events, projects, etc., going on with regard to highway improvements. He stated that it needs to be followed.
- Mayor Hyde announced that there is a Matthews Middle School Dedication Ceremony planned for Saturday, September 15th.
- Mayor Hyde reported that the Board has had since July 15th the Hillside Estates/Circle Land Development annexation agreement. He would like to see the Board move forward with this development. Attorney Puma reported that the Board will have to hold a public hearing and a 15 day notice is required so they need to let him know so he can plan accordingly for the proper announcements and filings.
- Trustee Ponio requested Executive Session for Personnel.
- Trustee Ponio inquired as to who completed the sidewalk by Cotton Creek, who approved it, who installed it, etc. Trustee Saville stated that he approved it. Trustee Ponio requested to see the information on this project. Trustee Saville said that the school wasn't going to put the sidewalk in. This had to be done so the sidewalk was compliant for handicap access. Trustee Herrmann added that there are different requirements now for handicapped sidewalks.

Motion by Trustee Garling, properly seconded to open the meeting to the floor. Upon voice vote, motion was unanimously declared carried.

Bob Wargaski, 30353 Dowell Road, McHenry, IL: Mr. Wargaski stated that the well discussed this evening is not even 200 feet from his well. He said that when the testing was done, it impacted his well and water significantly. He mentioned security with Village Hall. Mr. Wargaski brought up his FOIA from 3-17-06 where he requested Mr. Hyde's permits. He reported that the Clerk answered the FOIA. He submitted another FOIA on 3-22-06 for a copy of a certificate of occupancy and the Clerk answered him with a statement that permits and inspection records are not in the files as they should be and unfortunately, after much research, the Village is not in possession of the requested records. On 3-21-06 he requested another FOIA regarding Mayor Hyde's addition to his house. Mr. Wargaski said that request said too there is nothing in the files after extensive research as they should be and unfortunately, the Village is not in possession of the requested records. He concurred that security is needed here at Village Hall as there are missing files.

Mr. Wargaski said that IEPA tested his land along with Kevin Sutherland for him washing out paint buckets. It was indicated that he is vindicated of this as long as he does not do this any longer. About two weeks ago, Mr. Wargaski saw that the IEPA inspected the Public Works street sweepings. The health department requested that Public Works place these sweepings into their own dumpster. He said that when Mr. Kootstra was asked how far away the well is, Mr. Kootstra had answered about a quarter of a mile away. He said the well is 70 feet away and he asked for soil samples to be taken.

Mr. Wargaski said he finally received the tickets he has been asking for since last Fall on Darrell Road. After being denied and then denied on the appeal, he went to the Attorney General. The Attorney General said the Village has to give him those names. He received them a few weeks ago. He asked Attorney Puma if he advised the Board to stall Mr. Wargaski until the very last minute with this information. Mayor Hyde replied no answer.

Julie Riddell, 2685 Kingston Drive: Ms. Riddell asked the Board to please find a way to stop the traffic on that emergency access only road in Spruce Terrace. She said again that the traffic awful. She asked the Board to please not stop and come up with a solution for the safety of the children. Ms. Riddell said the signage has not been addressed yet either. Trustee Saville stated that he will handle this matter. He will get this matter and situation squared away.

Patty Flavin, Burr Oak Lane: Ms. Flavin reported problems and issues with people driving up Burr Oak and dropping off their children. She said the Police have been up there already several times. She said that people really shouldn't be doing this. Ms. Flavin reported also that suddenly the bus is no longer picking up her children and she was not even notified. She stated that this is not a drop off area for Matthews Middle School. Trustee Saville stated that he remembers the meetings regarding this issue and that many people who attended were not too happy and he recalls it being stated that this would not be a drop off. Trustee Herrmann added that this was a topic that was heavily discussed. She said that the School District was supposed to be instrumental in making sure that all parents know that the drop off for Matthews Middle School is at the entrance of the school, not on Burr Oak. She recalls Burr Oak was not supposed to be a drop off. Attorney Puma replied though that the problem is that parents can drop off their children unless there is an ordinance in place. Trustee Ponio suggested that the school tell the parents and remind them that the drop off is at the entrance of the school, not Burr Oak. He suggested they send a note home with the children. Trustee Herrmann added that there was much discussion about this and that there was to be no walking either so that bus service would stay intact. Trustee Garling requested that the principle be spoken to.

Bob Carpenter, 3310 Highland Drive: Mr. Carpenter thanked the Board for the 11 years that he has served on the Lake Management committee. He stated that he learned a lot from Hank Andrews as well as many others. As of this evening, Mr. Carpenter announced his resignation from the Lake Management committee. Mr. Carpenter read to the Board Members proud projects of the Lake Management Committee over the past 11 years. Mayor Hyde thanked Mr. Carpenter for his many, many years of service to the Village. He said that there were many projects that were team projects and team efforts as well as there were many single efforts by Mr. Carpenter. He also thanked Mr. Carpenter for the many successful CarpFest events.

Laurie Rabbitini, 4702 SouthHampton: Ms. Rabbitini congratulated the Board Members on the resolution that they passed this evening. She stated that she will be keeping each and every Board Member under the microscope. She pointed out that Mr. Saville this evening already threw a dig at the Mayor this evening. Ms. Rabbitini said that Trustee Saville said at the last meeting that the IEPA situation came out, reviewed the spoils and the situation was taken care of. Trustee Saville asked Ms. Rabbitini to please be more clear in what she is asking. Ms. Rabbitini asked if Mr. Saville has amnesia. Trustee Saville asked Ms. Rabbitini to be more clear. Trustee Saville said there is a proper dumpster there now. The street sweepings go into the proper dumpster. Ms. Rabbitini questioned then why the original street sweepings are still there still seeping into that well. She asked when this will be taken care of. Trustee Saville said this is the first he has heard of this. Ms. Rabbitini questioned Mr. Saville that he does not know that there is a 5 to 6 foot high pile of street sweepings behind public works that have been there all summer long. Trustee Saville stated that he does not know what it is but that he would be happy to check the matter out and handle the situation. Trustee Saville questioned Rob Rekosiewicz of Public Works why this was not brought to his attention along with everything else that has recently been brought to his attention. Rob replied that the new stuff, yes, is being placed into the dumpster; however, the original stuff is still there. Trustee Saville replied that no one has told him this and he can not take care of something that he is not made aware of. Mayor Hyde stated that this will be looked into tomorrow and handled. Ms. Rabbitini stated to Clerk Kaczmarek that she was not aware that files are missing. She asked if there are any policies that keep people from going down to the file room and she asked who is allowed down there as well as she asked how files are disappearing. Clerk Kaczmarek replied that she has been asking the same question. She can only "keep" what was here when she took office. Ms. Rabbitini asked if the Clerk goes down to the basement. Clerk Kaczmarek replied that there are many different areas in the building where files are kept as it depends upon what department she is speaking about, what the files pertain to, etc. Ms. Rabbitini asked if the files are secure. Clerk Kaczmarek

replied that, yes, her files are secured. She asked if she would be allowed, as a resident, to go down to the file room. Clerk Kaczmarek replied, no, not as a resident. She asked if the Trustees can go down to the file room and Clerk Kaczmarek stated that she has not been asked.

Elizabeth, 3118 Pine Terrace: Elizabeth stated that she has looked into a couple of ordinances recently. She said that 5 to 6 years ago, the Village passed an ordinance that if a resident has a gravel driveway, they are not allowed to put fresh gravel on top that gravel that's already there. She asked then why gravel left over from the street project was put down and spread out at the nursery school on Burnett Road. She asked why the school was able to have fresh gravel when she is not able to do this on her driveway. She questioned the labor that was incurred by this as well. Trustee Saville replied that he would look into this.

MaryJo Martin, 801 Lexington Lane: Ms. Martin clarified with Ms. Kaczmarek that when she answered Ms. Rabbitini that no private citizens are allowed to go downstairs into the basement record room. Clerk Kaczmarek replied that she has not been asked by anyone. She said that a resident has not asked her if they could go down there. Ms. Martin stated for the record then that on Monday, June 6, 2005, at 9:50 am, Greg Guido, who was not a Trustee at the time, was escorted into the basement, with you, where the records were kept and you stayed down there roughly for 15 to 20 minutes. Ms. Kaczmarek denied that that happened. Trustee Saville asked Ms. Martin, as long as she worked for the Village, how many people she has seen going down to the basement. Ms. Martin replied that she could not answer that. She added that she was employed by the Village and she was present on June 6th and at 9:50 am Mr. Guido was accompanied to the basement. She said that Clerk Kaczmarek appeared to be looking for something and they were down there for 15 to 20 minutes.

Greg Kachka, 3221 Hiacynth Terrace: Mr. Kachka said to Mayor Hyde that when he applied for a permit, he put down his addition was \$9960 and he as Mayor, who should be setting an example, how Mayor Hyde arrived at those figures. Mayor Hyde said no comment. Mr. Kachka said let it be public record that the public has asked for an answer and the records and Mayor Hyde has refused to answer. Mr. Kachka said that Mayor Hyde's application says 3 floors. He inquired if it is finished. Mayor Hyde replied no comment. Mr. Kachka said again, for the record, the public has asked a question and would like an answer. Mr. Kachka asked if Mayor Hyde refused his addition to be assessed. Mayor Hyde said no comment. Mr. Kachka said for the record, the public has asked for an answer and you have refused to answer. Based on the records, it has taken Mayor Hyde several years to work on this project. Mr. Kachka asked if Mayor Hyde re-filed and paid for new permits as the ordinance states that there is only one year to complete such a project. Mayor Hyde replied no comment. Mr. Kachka stated, for the record, Mayor Hyde was asked a question and he refused to answer. He had a question for Mr. DeSort but he is not here this evening. He asked how Mr. DeSort arrived at the figures for his addition and if there is an itemized list of costs. Mr. Kachka asked how he used an existing plumbing wall when he's showing a new kitchen. Mayor Hyde is unaware of what Mr. Kachka is speaking about.

Motion by Trustee Garling, properly seconded to bring the meeting back to the Board.

Motion by Trustee Herrmann, properly seconded to bring the meeting back to the board. Upon voice vote, motion was unanimously declared carried.

Motion by Trustee Garling, properly seconded to adjourn to Executive Session for personnel and land sale. All in favor.

Motion by Trustee Garling, properly seconded to come out of Executive Session and return to the Board Meeting. All in favor.

Motion by Trustee Ponio, properly seconded to adjourn the Board meeting. All in favor. Being that no further business was discussed, the meeting adjourned at 11:38 pm.

Clerk Christy Kaczmarek