

**MINUTES OF A REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES, HELD ON THE 28<sup>th</sup> DAY OF FEBRUARY 2008**

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**CALL TO ORDER** Mayor Thomas P. Hyde called the meeting to order at 7:30 pm.

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

Also in attendance was: Attorney Scott Puma, Ancel Glink.

**AGENDA**

1. Approval to waive Garage Sale permits for the Island Lake Annual Garage Sale June 20<sup>th</sup> – 22<sup>nd</sup> – Trustee Verciglio

Motion by Trustee Verciglio, properly seconded to approve to waive Garage Sale permits for the Island Lake Annual Garage Sale June 20<sup>th</sup> – 22<sup>nd</sup>.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

2. Approval of 2007 CDBG Water System Improvements Liquidated Damages – Trustee Saville

Motion by Trustee Saville, properly seconded to postpone indefinitely the 2007 CDBG Water System Improvements Liquidated Damages.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

3. Approval of request by Lake Management for suggested ordinance change regarding buoy placement on Island Lake – Trustee Ponio

Motion by Trustee Ponio, properly seconded to approve the request by Lake Management for suggested ordinance change regarding buoy placement on Island Lake.

Trustee Ponio stated that pier posts will have to be galvanized or stainless steel, aluminum posts are not included in the ordinance. Mayor Hyde stated that most pier parts are aluminum. Trustee Saville said that he was at the Lake Management meeting when this ordinance was discussed and the committee was adamant about using galvanized or stainless steel for piers. They were very specific. Trustee Ponio said that he will leave it as is and possibly something like aluminum can be added at a later date.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

4. *Approval of fundraising group/activity for March 6, 2008 – Mayor Hyde*

*Mayor Hyde stated that he had an original request that was forwarded to him; however, he had not kept a copy. He handed out an additional fundraiser, Miseracordia, for April 25<sup>th</sup> and 26<sup>th</sup>.*

*Motion by Trustee Herrmann, properly seconded to approve the Miseracordia fundraising event in Island Lake for April 25<sup>th</sup> and April 26<sup>th</sup>, 2008.*

*Upon roll call, Trustees voted as follows:*

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

*Motion was declared carried*

5. *Discussion regarding Boardroom security, Document security and Building Security – Trustee Sadoski*

*Trustee Ponio as well as Trustee Sadoski asked for this item to be discussed this evening. Trustee Sadoski reported that she has received three quotes from security companies for Village Hall. Key pad readers are recommended. Key Securities would like to make a proposal to the Board. Trustee Sadoski said, due to the expense, possibly a portion could be placed into this coming years budget and then the rest be placed in the budget for the following year. They would be providing two key pad readers and the front door would be one of them for sure.*

*Trustee Sadoski stated that she spoke with the Chief about a Police Officer being in the Board Room for all meetings and she stated that it is costly. Trustee Ponio replied that he is not concerned with the cost when it comes to the safety of the residents and the Board Members. He replied that no one around NIU last week probably cared about the cost when people were loosing their lives. Trustee Ponio replied that people have a right to life and security. He said that a couple \$100s a meeting is a small cost to assure safety to residents and Board Members. Trustee Verciglio replied though that at the shooting in the Board Room in St. Louis, the security guard was the first person that was killed. Trustee Ponio replied though that having an Officer in the room could be a deterrent. He said that the Police Department is here to serve and protect. He asked for an exact cost from the Police Department and Trustee Sadoski stated that she would get a quote for the Board. Trustee Herrmann commented that there is a big difference between a security guard and a police officer. She added that after the budget that was presented to them on Monday from the Police Department, she couldn't tell where this would even fit into the budget. Trustee Saville suggested possibly a part time Police Officer then. Attorney Puma stated that there is no liability on the Village's part to have a Police Officer or not in the Board Room for meetings. Mayor Hyde asked if Attorney Puma has seen other Village with security personnel present and Attorney Puma said that he has not seen this in very many Villages especially since Villages have a Police Department that they can immediately call. He suggested too that using a part time Police Officer may be a less expensive route to go. Attorney Puma added that Villages that are adding security, they are generally putting the Chief and an extra officer in the room.*

Trustee Ponio addressed the Board on security of the Village documents. Trustee Herrmann stated that Clerk Kaczmarek has passed out plans/options for the Boards consideration. She does not feel that this should wait any longer to get handled as it's been an issue for some time. Trustee Ponio suggested that the Board take a look at the basement and see what there is to work with. Trustee Herrmann replied that the basement though is not secure if there was a flood and water damage. Clerk Kaczmarek stated that since she has taken office, she has submitted, memos, notes, emails, etc., as to what she thinks needs to be done to secure the Village records but she said that she has received little support and the only item that was addressed, is that she obtained 2 fire proof cabinets in three years. She secured the basement by dead bolting the door and she only has a copy of the key. Clerk Kaczmarek stated that the Village needs fire and water proof cabinets and/or to spend the money and have the official documents of the Village scanned, stored on a computer and backed up on a CD and stored off site in a safe deposit box. She also suggested a fire proof room in the basement; however, it can not be water proof also. Clerk Kaczmarek explained that there are the official documents that are within her office and in the Board Room as well as there are many other official documents that have to be secured such as the building permits, HR records, etc. Trustee Sadoski asked how many cabinets are needed and Clerk Kaczmarek replied that in her proposal are 8 to 10 which does not even include Mr. DeSorts permits and files. Trustee Ponio asked, if there are concrete walls in the basement, it could be turned into a fire proof room and possibly the floor be saw cut and a drain pipe be placed in the floor for proper drainage. Clerk Kaczmarek replied that when she pulled all the original documents and pulled them all up and into the Board Room files, they were filled with mold and dust. Trustee Saville suggested maybe looking elsewhere in the building if it's necessary. He suggested a hallway or the gym even. He said the Board should get together the dollars it needs and just find a space for everything to go as this is important. Trustee Saville said that something has to give and the general office, and important Village documents, takes precedence over everything else. These are items that are important and a decision has to be made. Trustee Herrmann likes the idea of the documents being scanned too. They would be safe then and secured onto the computer system as well as they could be easily accessed then. She also suggested maybe storing the documents off site which is a very good solution for right now. She said all this is costly at first, the scanning; however, over time, it will be well worth it. Trustee Garling replied that the Board has to figure out how much all this is going to cost the Village. He said someone has to determine all the costs. Trustee Herrmann and Sadoski replied that Clerk Kaczmarek, on Monday, handed out a memo with all the figures. He questioned the off site storage costs too and Clerk Kaczmarek replied that that was in her memo too and that it is \$50 a month for up to 165 boxes. Attorney Puma asked if anyone has gone through a records disposal for the Village yet to get rid of some of the unnecessary paperwork. Clerk Kaczmarek replied that she has not; however, the past Clerk did. He said the permits do have to remain. Attorney Puma said if documents are scanned, he's understanding too is that then some of the paper documents can then be disposed of so that would save some room. Clerk Kaczmarek replied that it is very important to her to secure the original Village ordinances as well as the minute books. She said that the only items in fire proof cabinets to date are the minute books. Trustee Garling suggested that, as an immediate solution and less expensive action, would be to store the ordinances then off site at that storage company. The Board agreed to place this on next months agenda for a vote especially since this is the easiest and least expensive action to take for the moment.

6. Discussion of legal handing the letter received from Fisher and Shapiro, LLC

Trustee Saville reported that there are over \$4000 in liens on this particular property. Attorney Puma stated that they need approval to look this matter over and then they can either advise the Financial Department what to do or discuss other actions with the Board. He said that the foreclosure has already occurred with this case. The Board agreed to have Attorney Puma look into this matter and work with John Little on this.

**7. Discussion of Historical Resolution**

Trustee Saville asked if the Historical Society is an official entity of the Village. Connie Mascillino replied that they are an incorporated, not for profit, profit, separate completely from the Village. Connie Mascillino explained to the Board that she took the Boards thoughts, comments, etc., and incorporate them into the new resolution. She passed out a copy to the Board Members for their review. Attorney Puma stated that it can be a resolution or an ordinance. If it is an ordinance, it will have to go through the process then and be placed into the code book. The Board agreed to move forward with this as a resolution then.

**8. Discussion of Southport Pond – Trustee Saville**

Trustee Saville stated that he is brining this matter up this evening as Spring is just around the corner and a decision has yet to be made on this matter. He said that this is a private pond on private property and he does not want to, once again, reiterate his thoughts on the Village doing private property. He said that there is a memo from Jennifer Sorenson of Baxter & Woodman on December 6, 2007, with information for the restrictor valve and final plate. Trustee Saville stated that he was instructed, on December 13, 2007, by consensus, not to give the plat out showing the irregularities of southport until Attorney Puma was present at a meeting to discuss this matter. On December 16, 2007, there was an email from Garling to Hyde which stated that Trustee Garling had reached out and spoken to Dave LaButz and that there should be no trouble for the Village to obtain easement rights. On December 17, 2007, Mayor Hyde sent an email to the Board and the Village Attorney about the southport pond and he included Mr. Kootstra and Clerk Kaczmarek. He reiterated in the email that Trustee Garling had reached out to Southport and got answers to help the Board. Trustee Saville stated that he called Trustee Garling on December 17<sup>th</sup> and told him that he had broken the rules of engagement as the Board had previously agreed for this matter not to be discussed again until the Village Attorney was present at a meeting; however, Trustee Garling went out on his own and spoke to Mr. LaButz. Trustee Saville decided then to drop off the final plat at Attorney Puma's office for his review. On December 27<sup>th</sup>, Attorney Tappendorf was present at the Village meeting and he provided her with a copy of the Village ordinance and covenants for Southport. On January 3, 2008, Attorney Puma state that there is an annexation agreement and that the pond remains private and that the Village can excise, if they wish, the right to maintain and operate, if there is an issue with the Homeowners Association. Trustee Saville asked the Board Members if they are agreeing to do private property or not because a decision has to be made. He said that it costs about \$10,000 and about \$12,000 if Public Works completes the work vs. about \$22,000 if the Village were to contract it out. Trustee Saville stated that Public Works always handled this pond in the past; however, no one ever read anything nor knew that it was a private pond. They were just told what to do and they did it. Trustee Saville said that if the Village handles this private pond, then the Village will have to handle all the private

ponds in the Village. Trustee Ponio asked what Trustee Saville recommends they should do. Trustee Saville suggested that they follow the annexation agreement which states that the pond is the homeowners associations responsibility. To do it, Trustee Saville said, because it was always done in the past does not make it right. Trustee Ponio replied that if it's not the Village's responsibility then the Village should not do it. He said if they need assistance, they should come to the Board for help and they will discuss it. Attorney Puma stated that the Village has the right of access, on the plat. Trustee Ponio replied though, if the restrictor is not the Village's responsibility, why would the Village need access then. Attorney Puma replied that they do retain the right; however, if the homeowners association fails to do what they are supposed to do, the Village can take it over and take responsibility. Trustee Ponio asked if the Village fixes it, can the Village back charge them for it then. Attorney Puma replied that the Village could try. Trustee Ponio questioned why the homeowners association has never taken care of this. Trustee Saville replied that no one ever read anything and the Village just took care of it. Mr. Kootstra was instructed to just handle it. He said that there are documents that show the exact opposite, that the Village is not responsible, however the Village just did it anyway. Mayor Hyde asked for the costs thus far. Trustee Saville replied that the Board gave consensus to have Baxter & Woodman design a restrictor. This was brought to the Board; however, it was stopped because it's just not right because the pond is private. Mayor Hyde stated to Trustee Saville that he recalls this matter being brought forward through Trustee Saville's Department and the design work was done. He stated that it would have been a good idea to have found all this out first instead of spending the money that has been spent so far already. Trustee Saville replied that he has been on the Board only since May. He brought it up and no one said anything nor did the Mayor say anything even though he's been on the Board for years. Trustee Saville stated that yes, he asked for this project to be worked on; however, he did not know at that time that the pond was private. He has since uncovered though, that the pond is private and has brought it to the Board a number of times. Mayor Hyde asked if Trustee Saville has spoken to the Homeowners Association. Trustee Saville replied that he has not because he was instructed by the Board to give Attorney Puma the final plat. He said that an annexation agreement is a contract and the contract states that it is a private pond.

Trustee Ponio suggested speaking with the Homeowners Association to see if they are planning to take care of the problem then. Trustee Saville replied that Mr. Kootstra could speak with them and/or send a letter. Trustee Verciglio replied that he feels that the Village has to address the problem though and assist with fixing the problem. Trustee Ponio stated that the Village could tell them though that they have an estimate already so they know the monies that would need to be spent for the repair. Attorney Puma added too that if the Homeowners Association takes care of this, they do not have to worry about prevailing wage either so there would be a cost savings. He suggested that maybe the Village could offer to them also the engineering that's already been done which would save them money. The Board agreed to have Mr. Kootstra send a letter to the Homeowners Association.

**9. Discussion and information on Sanitary District de-annexation – Trustee Saville**

Trustee Saville stated that he had this on the agenda for tonight because Attorney Puma would be present this evening and felt that all needed information and an update especially since an email went out stating that Trustee Saville single handedly through these individuals out of town. Attorney Puma passed

out disconnections information to the Board. He stated that if Northern Moraine petitions to disconnect, it has to be allowed by ordinance and it is up to the Board. He stated that section 1.49 and 1.50 are the points of most concern for the Board. Or, this can be done by court procedure and would be a statutory disconnection. He added that a variety of cases are provided in the information. Attorney Puma said that perhaps there is a political decision that could be made and someone could go and speak with them. Trustee Saville asked if Northern Moraine has spoke to Attorney Puma and he replied no. Trustee Ponio replied that it sounds like there may not even be an annexation agreement. Attorney Puma said if they do not have an annexation agreement, they can just disconnect. If the filings in the 1970s were not filed properly, everyone needs to know that too, Trustee Ponio said. Trustee Saville said that there are ordinances in place that pertain to Northern Moraine. Attorney Puma explained that you can annex in land without an annexation agreement too. Trustee Herrmann stated that if they decide to sue, Diamond and LeSueur were the same attorneys for Northern Moraine at the same time they were attorney for the Village. Trustee Ponio replied that they still work for the Village as they are the Village's prosecuting attorneys. Trustee Herrmann said they would probably be the best resource for the information from that time. Trustee Ponio questioned how the de-annexation would effect the Village and/or disrupt things. Attorney Puma said, if there is no property on the other side of them, they would just no longer be part of Island Lake. Trustee Saville said that there is a major subdivision back there, Portens, which connects to the Village through Northern Moraine. Attorney Puma stated that they then can not disconnect. There is also 400 acres of conservation area. The Sanitary District though is what connects Portens subdivision to the Village. Trustee Saville questioned if a letter of discovery should go then to Diamond and LeSueur. Mayor Hyde stated that they should review a map and make sure as well as if the Village sends a letter, what is the Village looking for. Attorney Puma reiterated, if the Sanitary District creates a pocket, they can not disconnect. Trustee Garling suggested open dialogue with the Sanitary District as well. Trustee Ponio again asked what the benefit is of having then annexed into Island Lake. Trustee Saville replied that they are within 450 feet of a water main and they need to hook up to the Village water system. Trustee Garling replied that that's a lot of water. He added that it is probably better to not have them de-annex. Trustee Verciglio replied that the Village hasn't gotten anything from the Sanitary District. Trustee Garling suggested mending fences and Trustee Ponio asked what mending fences meant and if it meant now plowing their road. Trustee Saville explained that he attended Northern Moraines last meeting and it was stated at that meeting that the Sanitary District was upset because the Village did not approve the Intergovernmental Agreement. Nunda Township was ready to go. Trustee Saville stated that this starting because we were plowing their private road. We did the research and found the paperwork and he spoke with Attorney Puma and everything was all set and wrapped up in about three days. He added that there are certain easement agreements with the people that live along that road as well as it specifically states that Northern Moraine is to maintain their own road. It is a contract. Trustee Ponio replied that the Board had agreed to plow the road until the answers were found and legal opinion was provided. Trustee Herrmann said that not all the documents were here either but Trustee Saville has been working on obtaining the paperwork and providing everyone with a copy. Trustee Ponio replied that the Village has to find all the information out and then make a decision. He said that they are probably responding then to the Village's indecision. Trustee Saville explained that he spoke to Dorothy Bangle on December 5<sup>th</sup> and explained everything to her and that they should make arrangements to take care of their own plowing shortly. He also received a call from Attorney LeSueur that same day. Trustee Saville stated that he did not "cut of" Northern Moraine from plowing but rather told them that they needed to start arranging

for their own plowing shortly. He said a day and a half went by and everything was set. He said that he was asking Northern Moraine to honor the contract and take care of their own road which is in the agreement. Mayor Hyde said Northern Moraine was given about 4 hours of warning that the Village was going to stop plowing period. Trustee Saville stated that this is not true. Mayor Hyde said they put that together so that they could please the Village.

Trustee Ponio stated again that the Village agreed to do plowing until legal made a discovery for the Board and that that's not a correct statement. Attorney Puma interjected and stated that Attorney LeSueur was pressured for time and he put together that Intergovernmental Agreement. He said a second agreement came from Nunda Township and that they had made all the modifications that Attorney Puma has suggested. Trustee Ponio, Saville and Garling all agreed that there is no benefit for them to de-annex. Trustee Sadoski volunteered to speak to Northern Moraine on behalf of the Board. Trustee Saville asked if Trustee Sadoski has read the annexation agreement and Trustee Sadoski replied that she has. Attorney Puma

*10. Discussion of Village Hall upgrades – Trustee Ponio*

Three companies would like to come back and present to the Board. They would each like a half an hour. A special meeting may be called for March 10<sup>th</sup> or 11<sup>th</sup> then for these presentations.

*11. Discussion of Village Manager position – Trustee Garling*

Trustee Garling reported that himself and Trustee Sadoski has talked at length about a Village Manager position and the strong need for on in the Village. He said that it's been said that it would cost too much; however, the Board does not exactly know though. They would like to begin a serious process of looking into a Village Manager position to find out exactly how much it could cost, what benefits it will have for the Village, etc. They know that an ordinance too would have to be worked on as well. He said that the research could take up to a year or so. Trustee Garling said that if the Board then decided to move forward, that an announcement then could be drafted and the search could begin for a Village Manager. ILOA is available too to recruit candidates. Trustee Sadoski and Trustee Garling feel that a Village Manager could make the Village run more efficiently. They would also like to work with Trustee Ponio as this would have to be turned into an ordinance as well. Trustee Sadoski reported that some of the jobs that Village Manager would do would go along with assisting the Village Clerk also.

*Items from the Clerk, Trustees and Departments Heads*

- Trustee Ponio supplied a copy to the Board Members of the Baxter & Woodman proposal for reconstructing the zoning and subdivision ordinances for the Village as well as they provided a quote. He would like to discuss this with the Board at a later date and have this voted on in the near future.
- Trustee Sadoski reported that the Police Department did an inadequate job for their review at the budget meeting. She stated that the Chief is working on it and that the next go around should be much better.

- *Trustee Herrmann requested executive session for personnel.*
- *Trustee Verciglio requested executive session for litigation and land acquisition.*
- *Trustee Saville requested executive session for personnel.*
- *Trustee Saville said that he sent out an email to Attorney Puma about the Sanitary District and he got back an email, which all received, from Mayor Hyde, but there was no answer about the question that he had asked. But rather, there was an answer in there that he has single handedly chased off Brian Harris, Mark Janeck and that he is the cause of the bad relations with the locals. He wrote back that he was not going to answer the questions in the emails but he would like to bring up Pine Ridge because this situation is from way back and the Village was left holding the bag. Trustee Saville went through the chain of events: On July 17<sup>th</sup>, email from Puma to Sutherland that the irregularities are being worked on, July 19<sup>th</sup> an email from Sutherland to Saville regarding certification letter Mr. Harris about repairs to be completed, July 24<sup>th</sup>, email from Sutherland to Saville regarding Mr. Harris returning the letter dated July 19<sup>th</sup> of exactly what he was not going to do, July 25<sup>th</sup> email from Sutherland to Puma regarding asking for assistance to extend the maintenance bond or file a claim against Mr. Harris, July 26<sup>th</sup> email from Sutherland to Puma regarding cost list for Mr. Harris for the repairs in Pine Ridge amounting to \$11,096.70, July 27<sup>th</sup> email from Hyde – he invited Mr. Harris to a meeting and Mr. Harris declined and it was stated that there may be a lawsuit in the future, July 31<sup>st</sup> email from Sutherland to Harris regarding Village escrow account needs to be replenished in the amount of \$3600 before any meeting could take place, July 31<sup>st</sup> Trustee Saville spoke with Mr. Harris over the phone and instructed Mr. Harris to deal with the professional in this matter which is Kevin Sutherland and Attorney Puma, August 1<sup>st</sup> email from Sutherland to Harris regarding \$4187.50 due in the escrow account by August 2<sup>nd</sup>, August 1<sup>st</sup> Mr. Harris contacted Trustee Saville and stated that he wasn't billed by Baxter & Woodman and why should he pay that kind of money – he said he only owes \$2000 so Trustee Saville called Sutherland and told him about the billing and Sutherland return Saville's call and stated that was not correct and that Mr. Harris owes \$4187.50. He made a note to himself that day that Mr. Harris has played him just like he pulled his letter of credit with the Village without anyone knowing and it left the Village holding the bag. August 2<sup>nd</sup> – email from Mr. Harris to Mayor Hyde – Trustee Saville read the email aloud – the email said that Mr. Harris attempted to schedule a meeting with Trustee Saville and Kevin Sutherland; however, late yesterday he was informed that the meeting would not take place unless Mr. Harris brought a check for \$4817.50. He said the only invoice Harmony Homes has received is in the amount of 1244.20 on June 21<sup>st</sup>. A \$2000 check was delivered to the Village by Mr. Harris. Attorney Puma replied that he needs to meet with Mr. Harris. He said that this is his fault, not the Boards fault, and he will attempt to meet with Mr. Harris before the next meeting. He will make every effort to make this happen and report back to the Board. Trustee Saville said that they were headed in the right direction and coming close to recovering the money. He added that this was with consensus of the Board also. There is about \$13,000 outstanding with the Village to date. Trustee Saville said that this matter came up in executive session on December 27<sup>th</sup> where Mayor Hyde stated that Trustee Saville and Mr. Sutherland were out on this matter and Attorney Puma and Mr. Kootstra were in. He said that himself and Kevin Sutherland were standing up to the plate and certain people decided they didn't like it so they changed the game. Nothing has been done since though. Attorney Puma apologized again and stated that he will report back to the Board in two weeks.*

- *Trustee Saville reported that Mr. DeYoung was disappointed from the last meeting that the Board did not approve the amended water ordinance. He is looking for a uniform direction from the Board. Trustee Saville is disappointed also that the Board does not want to go in that direction. He added that the Boards in the past, from past meeting minutes – 11/9/06, the Board required the Sikh Mission to cap their well and to date, it has not been done. St. Johns Church was also permitted to have a well however, he can not find anything in the meeting minutes allowed them to keep their well. Trustee Saville and Mr. DeYoung are looking to regulate this and that there is uniformity. That when someone hooks up to the water system, they have to properly cap their well. He pointed out in meeting minutes, from the past, where there were conflicting actions going on Board Members. Trustee Saville stated that what's good for one, is good for all as well as for the Village to continue to be "green", he said the Village has no control if someone has a well then and waters their lawn say all night long and if the Village is going to conserve water, they should be doing so to the best of their ability.*

*Items from the Mayor*

- *Mayor Hyde stated that he is meeting with the IDNR along with the Building Department and public works having to do with flood plain mapping on March 5<sup>th</sup>. They will be learning about the new flood map.*
- *Mayor Hyde reminded the Board about the Lake County planning meetings throughout the county through the month of March for future planning of Lake County.*
- *Mayor Hyde announced that Mr. Piotrowski matter still needs to come before the Board. Trustee Garling said he has been speaking with Attorney Kaiser.*
- *Mayor Hyde announced a gas main leak that occurred at Village Hall. All has been fixed.*
- *Mayor Hyde asked Trustee Herrmann to work with bulletin board postings. Trustee Herrmann questioned if the Board really needs to approve what the Village Clerk posts before she places something up on the bulletin boards and Mayor Hyde replied that he does not think so. They are looking for proper approval though from others and other organizations that they have the proper approvals before just putting something up there.*
- *Mayor Hyde announced that the Falcons are joining with Sports Development Association. They are joining together to become Bulldog Youth Sports.*
- *Property across the street from Village Hall – the owners daughter has contacted the Mayor and there is some interest in selling the piece to the Village to use for parking.*
- *Neal DeYoung spoke to the Mayor today about the bringing the property into the Village where the new well and water tower will go. He will be moving forward on this process and ownership of the land. The Board Members agreed to move forward except for Trustee Ponio.*
- *Mayor Hyde said that there is a situation with Barrington that he would like to bring to light. He met with the Mayor regarding the recent train issue. There is the possibility of more than one train system running through the area. Elgin-Joliet eastern track. It will be purchased by Canadian National and this particular railroad will have a 600% increase in activity in the area with trains. They will be in excess of 2 miles long – 6 to 8 minutes at a crossing so there are a lot of concerns with moving traffic, etc. Trustee Herrmann stated that this will effect Lake Zurich as well. Trustee Garling reported that the impact will be great on the area. The dollars, in order to upgrade the crossings though, means*

*that is monies that won't be spent on our roads by the state and federal government. He is concerned that our roads will not be tended to.*

- *Mayor Hyde said that the 3D Bowl/Sideouts liquor license is coming forward and will need a vote. Attorney Puma stated that the Village Clerk has a series of questions and he is working on answering them so the application is complete.*
- *Mayor Hyde reported that the Police Department made their first attempt at caller ID; however, it did not work and they will be trying it again shortly.*
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*Motion by Trustee Garling, properly seconded to open the meeting to the floor. Upon voice vote, motion was unanimously declared carried.*

*Motion by Trustee Garling, properly seconded to extend the meeting past 10 pm. Upon voice vote, motion was unanimously declared carried.*

*Tom Kaczmarek, 703 Fox Trail: Mr. Kaczmarek made a comment regarding the Sanitary District. He said that everyone has been hearing about this for many months and that this had all started with plowing. He drove down there and saw trucks with plows on them and he does not understand why they can't make two quick passes up and down their own road. He said it is 10 feet narrower than the normal road plus, a few quick passes and it would be finished. Mr. Kaczmarek said that it was stated tonight that Diamond and LeSueur represented the Village as well as the Sanitary District at the same time and that appears to be an issue on its own. He said that the individuals on that road, who live there, are the one's that are suffering because the Sanitary District was actually responsible for fixing that road per the agreements that have been talked about. They were supposed to plow it, fix it and seal coat the road for everyone. They appear to be walking away from their obligations. Mr. Kaczmarek asked why though, if there is an ordinance in place, are they not hooked up to the Village water system. He said that Trustee Garling even commented that that is a lot of water and the Village could have benefited from this. He said it appears that the Village pays them roughly \$40,000 a year in sanitary so it seems as though it's always a win-win situation for the Sanitary District and Village loses out. Mr. Kaczmarek said it seems now like they want to bail. He feels the Village, if they are good neighbors, they should keep up and honor their responsibilities. He said that he does not have a conflict with them as he receives the service he is supposed to from them; however, it seems like now, they are running from their obligations.*

*Laurie Rabattini – 4702 S. Hampton: Ms. Rabattini asked Trustee Verciglio for a quick synopsis on LYAA. Mayor Hyde replied that that is Lakes Youth Athletic Association. Trustee Verciglio said it is an athletic group. Ms. Rabattini inquired about the concession stand out back and Mayor Hyde replied that they built it. She asked if they own it and Mayor Hyde replied, not really as they basically donated it to the Village. Trustee Verciglio replied that they donated it to the Village. Mayor Hyde said they use the concession stand but yes, they built it, and gave it to the Village basically. He said it is on the Village's property. They built it for use for themselves and for the Village and they have no title to it so, yes, the Village does own it. Mayor Hyde said they came in with plans, the Board approved it and they built it. Ms. Rabattini asked if anyone has access to it. Mayor Hyde said yes and that the washroom facilities are open most often. She asked if another organized group could use the concession stand and sell*

concessions. Mayor Hyde said that is a good question but that the concession stand is already filled with LYAA concessions to sell for their own group. He said that the Village has a respect for them, since they built the building, to see their concessions. Mayor Hyde commented too that they have made \$1000s and \$1000s of dollars worth of improvements – including the fencing, ball field, they have sodded, etc. He said they have contributed a lot to the recreation areas in the Village.

Greg Kachka, 3221 Hyacinth Terrace: Mr. Kachka asked Trustee Herrmann why she abstained last week from voting for payment of the bills. Trustee Herrmann replied that she did because she had a distribution on the bill sheet and it was for candles.

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, land sale/acquisition and litigation. Upon voice vote, motion was unanimously declared carried.

Motion by Trustee Garling, properly seconded to end executive session and return to the Board meeting. Upon voice vote, motion was unanimously declared carried.

Attorney Puma said he is asking for a motion to approve the settlement of the MTBE litigation and to authorize the Mayor to sign documents as discussed in closed session pending court approval. Trustee Garling, so moved, properly seconded.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried

Being that no further business was discussed, motion by Trustee Garling, properly seconded to adjourn the Board meeting. All in favor. The meeting adjourned at 11 pm.

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Christy Kaczmarek, Village Clerk