

**Amended - MINUTES OF A PUBLIC HEARING AND THEN THE REGULAR BOARD MEETING OF
THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES,
HELD ON THE 25th DAY OF SEPTEMBER 2008**

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, Mascillino, Ponio, Saville and Verciglio.

Also in attendance was: Police Chief Anthony Scarrionne.

1. Approval to sell Village property located on Highland Drive for \$5,928.00

The individuals have agreed to purchase the property per Mayor Hyde. Trustee Herrmann said there is a letter that was given to the Board Members from Ancel Glink which covers the stipulations.

Motion by Trustee Herrmann, properly seconded to approve Ordinance 1343-08 the sale of Village property located on Highland Drive for \$5,928.00 and to include the letter from Ancel Glink dated September 24, 2008.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

2. Discussion and approval of T-Mobile lease of space at the Fox River Shores Water Tower and at Water Tower Park – Trustee Garling

Mayor Hyde stated that past rental agreements have been much more specific as well as they have covered the gravel drive, trees, etc. He added that he forwarded an email to the Board this week regarding an association related to cable users and companies. IML forwarded the information and asked for non-consideration of this new law. Mayor Hyde is also not sure how much the tower will hold as well as the current agreement needs to be reviewed as well. Trustee Saville stated that he spoke to Neal DeYoung and Mr. DeYoung said the contract is very generic. He would like legal to review the contract and compare this contract with the other contracts. The Board agreed to have Attorney Puma review the contract.

3. Discussion and approval of Police Department in-car camera system – Trustee Mascillino

With this system the data is transferred as the Officers pull into the Police Station. Chief Scarrione stated that this is the most economical system and it's compatible with the current system and the laptops. Mayor Hyde said he attended the meetings with Chief Scarrione and explained that this system saves a lot of time. Trustee Mascillino said that she spoke to John Little and \$6500 is coming out of the DUI Fund and the rest is coming from the impact fee account. Chief Scarrione explained the DUI Fund stating that the DUI funds come from IL DUI arrests which are recuperated from the States Attorneys Office. The monies have to be used for equipment. The Village's insurance will cover the equipment going into the vehicles. The system has a back up to it as well as the PD has a generator. Trustee Garling questioned where the back up is being stored and suggested storing a copy off-site. Chief Scarrione explained that there is a procedure for that action duplicates can not be made as that would lead to a chain of evidence. Attorneys only request copies when there's an arrest generally.

Motion by Trustee Herrmann, properly seconded to approve Police Department in-car camera system in the amount of \$23,975.70 and \$5500 for Baxter & Woodman for the vault.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Mascillino and Verciglio

NAYS: Trustee Saville and Ponio

ABSENT: None

ABSTAIN: None

Motion was declared carried.

4. Approval of temporary tent permit for Sideouts/3D Bowl for October 3 and 4, 2008

This is for a food festival – OctoberFest – and only food will be under the tents. Trustee Saville asked if there would be liquor sold under the tents and Clerk Kaczmarek replied that she was told that there would only be food present. Trustee Saville replied that he'd like to add to the motion then that no liquor is to be sold under the tent. Trustee Herrmann replied that they sell liquor already at their establishment. Trustee Saville does not approve of liquor being sold under that tent. Mayor Hyde replied that there is a motion on the table. Trustee Herrmann said they can sell liquor anyway. Trustee Saville said that they do not have a liquor license. He said that he will vote for something if it has the food under it but he will not vote for it if they are allowed to sell liquor under it because they do not have a liquor license so he in good conscious can not vote for it.

Per Trustee Herrmann – review of audio tape – amended minutes:

Motion by Trustee Herrmann, properly seconded to approve temporary tent permit for Sideouts/3D Bowl for October 3 and 4, 2008.

Trustee Ponio asked what will be under the tent and Clerk Kaczmarek replied that she was told that it is a food festival, OctoberFest, and food will be served under the tent. Trustee Saville asked for the motion to be amended and add that they can not sell liquor under that tent. Trustee Herrmann replied that they sell liquor at that establishment. Trustee Saville replied yes, but not under that tent. Trustee Herrmann said that they can sell liquor anyway. Trustee Saville said, in his opinion, they do not have a liquor license. Mayor Hyde said there is a motion on the table. Trustee Saville replied that he is asking question. Mayor Hyde said ok. Trustee Saville replied that he will vote for something that has food under it, but if they are selling liquor under that tent, he in good conscious can not vote in favor of the tent as he feels they do not have a liquor license. The two Trustees did not want to change their motion that is on the table.

Motion by Trustee Herrmann, properly seconded to approve temporary tent permit for Sideouts/3D Bowl for October 3 and 4, 2008.

Upon roll call, Trustees voted as follows:

AYES: Trustees Garling, Herrmann, Mascillino and Verciglio

NAYS: Trustee Saville and Ponio

ABSENT: None

ABSTAIN: None

Motion was declared carried.

Items from the Village Clerk, Trustees and Department Heads

- Trustee Ponio pointed out that the posts that are holding up the canopy out front of Village Hall are very rusted and he is concerned that they need to be tended to before the Fall/Winter season. He requested that Public Works take a look at the posts.
- Trustee Ponio said that he put together meeting minutes for the Friday, September 5th and will give those minutes to the Clerk.
- Trustee Mascillino reported that two new squad cars have arrived at the Police Station.
- Trustee Garling reported that himself, the Mayor and Frank DeSort met with Lake County Partners on Friday to discuss Shovel Ready Sites which are properties ready for businesses. A copy will be provided to everyone.
- Trustee Herrmann requested Executive Session for personnel.
- Trustee Saville mentioned the liquor license that was approved to be tabled for SAI Corporation a couple of weeks ago. He has asked for this to be rescinded and the approval to be rescinded. He stated that there is a different address now than what was on the original application and license to be approved. Trustee Saville feels that the paperwork is not completed and that special services are being given to SAI. He said that Mr. Patel is working with the landlord in an effort to stay away from the 100 feet from the school that is there. Trustee Saville said that he attended the liquor commission meeting this past week. He said that this liquor license is open and up for grabs now and that this is a problem. In the liquor commission meeting, Trustee Saville said that Mayor Hyde mentioned receiving a letter from the Smoke Shop in town and a request came from their attorney. Mayor Hyde said there is no letter. The smoke shop would like that license. He applied for the license previously and was turned down. The smoke shop is in good standing with the Village. Trustee Saville said if the liquor license is being held for SAI, this action is not right and it could be a problem. He added that Attorney Puma has also stated in meetings that leaving a floating liquor license is not a good decision. Trustee Saville said that the Village could be sued by the smoke shop as well as SAI could now most likely sue the Village.

He added that once again procedure was not followed and this is another situation that is a mess. Trustee Saville requested for the next voting meeting that the SAI liquor license be rescinded and the paperwork and application be rescinded. Trustee Saville said that things are being done behind closed doors, that it is obvious and it is not right. ****See attached – amendment by Trustee Verciglio.** He said a year or so ago the spray park issue was another situation where things were being done behind closed doors. He is tired of the lying, conniving and improper procedures going on. He stated that this has got to stop.

Items from the Mayor

- Mayor Hyde reported that the Wauconda Soccer Association has donated \$500 to the Village.
- Mayor Hyde forwarded a memo from the Lake County Municipal League to everyone.
- Mayor Hyde stated that no one appears to be going to the IML Conference this coming weekend.
- Mayor Hyde stated that he forwarded a letter from ComEd regarding information and pricing increases on homes which is up 6%. The costs have almost doubled in other areas. He asked John to review these bills and increased especially for the pumping stations in the Village.
- Mayor Hyde stated that there is a quote from a phone system company too for review as those fees are going up as well.
- Mayor Hyde stated that there is a request from the CampFire USA to sell items October 1 through October 30th. The Board took a consensus and agreed that this was okay.
- Mayor Hyde said that he is looking to break up an ordinance that the Village has, Clerk and Collector, and moving forward, he feels it would to the advantage of the Village to have the Collector separate from the Clerk and have the Collector appointed by the Mayor with approval of the Board along with set pay and duties established by the Mayor and approved by the Board. He believes that with different people coming into the Village that it may be a situation where the Clerk and Collector possibly does not fit the same person. Or, maybe one does not qualify and does not fit both jobs. Mayor Hyde said it gives the Board and Mayor an opportunity to look at both positions as they move forward with whomever sits in these seats and look at the responsibilities that goes with them. Mayor Hyde will have for the next voting meeting an ordinance clarifying these aspects discussed. Trustee Saville questioned Mayor Hyde why this was not handled way back in 2005 when this was first brought to his attention. Mayor Hyde said he has not idea what Trustee Saville is talking about. Trustee Saville said that it was brought to your attention back in 2005 that there are problems with the Clerk and Collector positions and Mr. Puma knew about it as well so you can't say you didn't know about it and now you are trying to

To: Christy Kaczmarek
Fr: Tr Verciglio
Subject: Meeting minutes September 25 2008

I request again that the following be added to the minutes of September 25th 2008, at the location marked on Page 3 which is attached, after you review the audio tape of that meeting to verify that the statements were made at that meeting:

There is one thing I would like to see on the blog so that people who are sitting out here that put us in office can see exactly what goes on behind doors. A year ago there was a spray park that was being put up and that park was all done behind close door and it should not have been. I questioned the open meeting act violation that it wasn't to be in close door and it came out and those minutes I would like to see on the blog.

Thank you.

change it now because of a problem that has raised its ugly head. Mayor Hyde said he is changing it because it needs to be adjusted 6 months before the election. Trustee Saville said now Mayor Hyde is having it put on an agenda one, two, quick and the ordinance isn't even drawn up yet. Mayor Hyde said he will expect one to be drawn up. Trustee Saville said that he wants everyone to know that this did not happen overnight and it only is now happening today because there is a situation that was not taken care of in the past like it should have been back in 2005 and now the Board is paying the price for it today.

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

Tom Baur: Mr. Baur asked where the property is located on Highland Drive that was approved to be sold this evening. Mayor Hyde clarified where it is located for Mr. Baur.

Tom Kaczmarek, 703 Fox Trail – Mr. Kaczmarek stated that it appears that Mayor Hyde wants to now separate the Clerk and Collector position yet it was combined 4 years even before the past election because former Trustee Guido said it had to be done as a good housekeeping measure to follow the state statute. He said that Mayor Hyde voted in favor of the combining of the two positions back then and questioned why now he wants to separate them. Mayor Hyde said it is not a good housekeeping program as he looks at how it works. He thinks there could be serious problems if the right person is not there. Mayor Hyde would like to give the Board the opportunity to work with the position instead of being forced to work with an individual that might not even fit the position properly. Mayor Hyde said it gives the Board then the latitude to look to see if that person fits, to have the hours set and if that person has the desire. Mr. Kaczmarek replied then that Mayor Hyde is saying that he is not happy with an elected official that is elected to have that position and that he is not personally happy and now wants to separate the two. Mayor Hyde replied that towards the future, it would be a good thing to do. He said it is positive and will allow the Board to make the decision rather than force a decision by the Village ordinance. Mr. Kaczmarek stated that Mayor Hyde must have some likes and dislikes as he the one bringing this forward.

Mayor Hyde replied that he has nothing that he desires to expound upon this evening on this matter. Mr. Kaczmarek again reminded Mayor Hyde that was a good housekeeping measure way back when and that he voted in favor of it then. Mayor Hyde said he does not remember what he voted on back then. He said that the last 3 and half years, and he has not intention of running at this point, but that it would be in the best interests of the Village to be able to allow the Board to make the decision.

Laurie Rabattini, 4702 Southhampton: Ms. Rabattini asked why the police cars are white and she questioned the stickering. Trustee Mascillino stated that the colors are up to the Chief and he decided upon white which was cost effective too for the Village. Chief Scarrione said it is about a \$1400 savings per car to stay with white. Ms. Rabattini commended the Chief for saving the Village the money.

Motion by Trustee Mascillino, properly seconded to bring the meeting back to the Board. All in favor.

Motion by Trustee Garling, properly seconded to go into Executive Session for personnel.

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

Motion by Trustee Garling, properly seconded to come out of executive session and return to the Board meeting. All in favor.

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

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 9:05 pm.