

**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 9th DAY OF APRIL 2009**

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, Mascillino, Ponio, Saville and Verciglio.

Also in attendance was: Village Attorney Julie Tappendorf of Ancel Glink; Police Chief Anthony Scarrione; Kevin Sutherland, Baxter & Woodman.

Pledge to the Flag & Recognition of those with family members in the military

Correspondence

Trustee Herrmann congratulated the Island Lake Water Department for the 10 year in a row award from the Illinois Department of Health fluoridation act. The Village has received this award for the 10th year in a row.

Consent Agenda Items:

Items under the Consent Agenda are considered routine and/or non-controversial and will be approved by one motion. If any Board Member 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
2. Approval of Minutes – February 26, 2009, March 5, 2009 and March 12, 2009
3. Approval of Committee Reports:
 1. Building, Zoning & Ordinance
 2. Finance & Administrative
 3. Police & Public Safety
 4. Parks, Recreation & Education
 5. Public Works
 6. Economic Development

Motion by Trustee Herrmann, properly seconded to approve the consent agenda with the committee reports, to pay the bills and the February 26th and March 5th meeting minutes.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Motion by Trustee Verciglio, properly seconded to approve the March 12, 2009 meeting minutes with stated change.

Trustee Verciglio stated that on page 3 of 10 his name was spelled wrong and asked for this to be corrected.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

Agenda

1. *Approval of the 2009-2010 budget – Trustee Herrmann*

Motion by Trustee Herrmann, properly seconded to approve the 2009-2010 budget.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

2. *Approval of signs for the Annual Senior Auction - May 16 11:00 AM – Trustee Verciglio*

Motion by Trustee Verciglio, properly seconded to approve the Annual Senior Auction - May 16 11:00 AM.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

3. *Approval of signs for Village Annual Garage Sale - Jun 19,20,21 - Trustee Verciglio*

Motion by Trustee Verciglio, properly seconded to approve the Village Annual Garage Sale – June 19,20,and 21.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

4. *Approval to waiver garage sale permit requirements for Village Annual Garage Sale - Jun 19,20,21 – Trustee Verciglio*

Motion by Trustee Verciglio, properly seconded to approve to waive the garage sale permit requirements for Village Annual Garage Sale - Jun 19,20 and 21.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

5. *Approval to accept bid from Municipal Well & Pump in the amount of \$95,564.15 for water supply well no. 9 rehabilitation project*

Motion by Trustee Herrmann, properly seconded to approve to accept bid from Municipal Well & Pump in the amount of \$95,564.15 for water supply well no. 9 rehabilitation project.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

6. *Approval of Rooney Consulting Inc. bid in the amount of \$11,000 for the Nottingham Court project for construction services*

Motion by Trustee Herrmann, properly seconded to approve Rooney Consulting Inc. bid in the amount of \$11,000 for the Nottingham Court project for construction services.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

7. *Approval of Engineering Services Agreement (ESA) Amendment No. 1 for the Water Supply Well No. 10, Well Pumping Equipment, 0.5 MG Elevated Tank, and Water Treatment Plan. The Village is pursuing stimulus funding through the IEPA for the 0.5 MG Elevated Tank. The Village can receive stimulus funding for the design and construction engineering for this project as long as the required IEPA loan language is included in the ESA. The original ESA did not include this language because at the time the project was initiated, the Village did not intend to pursue funding from the IEPA. The ESA amendment includes the required IEPA loan language. This amendment does not change the design and construction engineering costs.*

Trustee Saville questioned who asked for this ordinance to be put together. He said that this matter was discussed then dropped over a month ago then suddenly an ordinance appears. Mr. Sutherland stated that they have not gotten to the ordinance yet. Trustee Ponio questioned how the Village could be moving forward on this when there is still a pending suit/litigation with the Village. Attorney Tappendorf replied that the Board is acting on the Baxter & Woodman agreement. She said that it's been committee to and the money spent; however, this does not add money to the project.

Motion by Trustee Herrmann, properly seconded to approve ESA Amendment No 1 for the water supply well no 10, well pumping equipment, 0.5 MG elevated bank and water treatment plan.

Upon roll call, Trustees voted as follows:

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

Motion was declared carried.

8. *Approval of Engineering Services Agreement (ESA) Amendment No. 1 for the Circle Drive and Highland Drive Water Main Replacement. The Village is pursuing stimulus funding through the IEPA for this project and the ESA included the required loan language. However, the IEPA added new loan language that is required in the ESA after the Village Board approved the ESA for this project. This amendment includes the additional required IEPA loan language. This amendment does not change the design and construction engineering costs.*

Motion by Trustee Herrmann, properly seconded to approve of Engineering Services Agreement (ESA) Amendment No. 1 for the Circle Drive and Highland Drive Water Main Replacement

Upon roll call, Trustees voted as follows:

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

NAYS: Trustee Saville

ABSENT: None

ABSTAIN: None

Motion was declared carried.

Items from the Village Clerk, Trustees and Department Heads

- *Trustee Saville stated that he is baffled this evening because the Board voted to approve to pay Municipal Well and Pump in the amount of \$95,000+ yet not too long ago, the majority of the Board passed an ordinance where people were not required to hook up to the water system. He stated that incoming revenue was stopped then by doing this. He said that money was received from a suit but the Board voted to approve to spend \$1 million. Trustee Saville said that now the Board is presented with paperwork for a loan for well #10. He said that Village though has to come up with the first 75% and he questioned where the money is coming from. He does not understand nor has he been shown where all this money is coming from to spend on such projects. Trustee Saville stated that the Village and Board need goals and a game plan. Trustee Herrmann replied that John Little has a plan for the Village and that he will be at the next meeting to present this plan. Trustee Saville asked for the third time who put in to have this ordinance created. He said that this was not talked about for some time now and suddenly an ordinance appears so someone had to ask for it to be put together. Trustee Herrmann reported that Neal, Frank, John and herself met with Baxter & Woodman last week. Attorney Puma was at the meeting as well. Trustee Verciglio asked if Trustee Saville received the email from Attorney Puma. Trustee Saville said yes but that is still not the question that he is asking- he again asked who told Ancel Glink to put this ordinance together. Kevin Sutherland replied that Baxter & Woodman had a draft ordinance already from the IEPA. Attorney Tappendorf said that the state requires certain documents to be present in the stimulus package application and that the ordinances and certain documents have to be customized for each Village. Trustee Mascillino pointed out that she spoke to John Little on this also. He explained that the Village does not have money for all these projects but that's why with this particular one, it's spread out over time and at 0% so the Village, over time, does have the money for such a project.*
- *Trustee Saville asked for a signed copy of his censure. Mayor Hyde replied that it does not need his signature. Trustee Saville asked why it's not signed as everyone had contributed to the censure except for one Trustee and he thought he'd have a signed copy by now. He commented that the "standards" will go into the next administration. Mayor Hyde replied that the next administration can decide then. He said that Trustee Saville will have to deal with it then with the new Board.*
- *Trustee Verciglio commented that the December 4th meeting minutes were pulled as they were not in proper format. He said that they were requested to be rewritten.*
- *Trustee Verciglio mentioned the email from Willie Kootstra regarding the request from the 5th Grade on their Bon Voyage party. They are asking for a Public Works vehicle to drive someone to school one morning. Trustee Ponio asked if the Village insurance covers this. Attorney Tappendorf replied that someone should probably verify it with the Village's carrier. He said that there is a release too that can be signed. The Chief replied that he has a form that can be used that the PD has used in the past.*

- *Trustee Verciglio asked Trustee Ponio where the meeting minutes are from the referendum meetings that took place. Trustee Ponio replied that he would try to get them to Trustee Verciglio.*
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- *Trustee Herrmann stated that the Appropriation is coming up and needs to be voted on as well. The public hearing will be May 7th as the appropriation will be on the May 7th agenda for a vote.*

Items from the Mayor

- *Mayor Hyde read a letter from a resident looking for the Board to waive the late fee on the Village stickers. Trustee Saville said that he understands and that this is a very trying time with this economy for many many people. He said however, if the Board allows to waive this for one resident, that they should then allow it for everyone and that the Board should not be discriminating. Trustee Saville said it's heartbreaking to hear such stories; however, the Village has no slush fund for such issues to help those in needs. Trustee Verciglio commented though that the resident is just asking to waive the late fee, not the entire sticker fee. Trustee Garling said the Village should help people. He said that the Board can discriminate with some cases in the Village. He thinks the Board should help these folks out. Trustee Herrmann recommended instead how about a budget plan like is done for those who need assistance with water and garage bills. Trustee Saville said it always seems to come about tho after the damage is already done like in this case when someone incurred a late fee. He said that this person has two vehicles and questioned, if this person has current state tags on his/her car, he/she should have current and correct Village stickers on his/her car too and he added that the state does not give braks. Trustee Saville said that the Board wants to be compassionate but that this has to be looked at as the Village as a whole. He said that those that comply should not have to carry those that do not comply. Trustee Ponio replied that it is April 9th. He said the late fee started February 15th and wondered why it took so long for this individual to come forward. He said a month has almost gone by. Trustee Ponio said that there isn't even any proof that this individual tried to attempt to at least pay for the sticker itself. All in favor to waive the late fee – Trustees Garling, Verciglio, Mascillino and Herrmann. Opposed – Trustees Saville and Ponio. Trustee Saville suggested, that in the future, maybe someone should take it out of their own pocket. Trustee Ponio said that slush funds are good to have for items such as these.*
- *Mayor Hyde mentioned the SJN water hook up. He said it is in the final stages. The permit are being worked on.*
- *Mayor Hyde mentioned the Maneval documents that were passed out and asked the Board to review them.*

Motion by Trustee Garling, properly seconded to open the meeting to the floor. All in favor.

Joe 3203 Carriage Hill: Joe questioned the draft ordinance and questioned Kevin Sutherland. Mr. Sutherland said that the Village has legal, Baxter & Woodman does not so, the Village Attorney does review the ordinances. He said that Baxter & Woodman did supply the ordinance to the Village legal for review. Attorney Tappendorf added that the state prepares the ordinance and that they customize it. This is a model ordinance that the IEPA put together. Engineering has to supply it in the application packet. Joe commented on the waiving of the Village sticker fee this evening. He said that this is a neighbor and how embarrassing for that person to have to write such a letter. He said that the Village should take care of it or a neighbor. He commented that he see Trustee Saville's point; however, he said maybe the Village should keep a tally and keep control on situations like this but that the Village should help.

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

Adjournment to Executive Session for review of executive session meeting minutes.

Motion by Trustee Garling, properly seconded to go into executive session.

ROLL CALL *Roll call indicated the following present: Trustees Garling, Herrmann, Mascillino, Ponio, Saville and Verciglio. Mayor Hyde and Attorney Tappendorf also present.*

Motion by Trustee Garling, propoelry seconeed 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. Mayor Hyde and Attorney Tappendorf also present.
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Action on Executive Session Items

1. *Approval of Resolution 552-09 Executive Session meeting minutes*

Motion by Trustee Garling, properly seconded to approve Resolution 552-09 approving to release executive session meeting minutes from August 14th, 2008 and December 28, 2006.

Upon roll call, Trustees voted as follows:

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

NAYS: None

ABSENT: None

ABSTAIN: None

Motion was declared carried.

Motion by Trustee Garling, properly seconded to adjourn the Board meeting. Being that no further business took place, the meeting adjourned at 8:45 pm. All in favor.

Christine Kaczmarek, Village Clerk