

**MINUTES OF THE 2ND REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE
VILLAGE OF ISLAND LAKE, LAKE AND MCHENRY COUNTIES,
HELD ON FEBRUARY 25, 2010**

Meeting was called to Order by Mayor Herrmann at 7:32 PM

Upon Roll Call Trustees in attendance were Trustees O'Malley, Rabattini, Ponio, Saville, Mascillino, and Verciglio.

Also in attendance: Scott Gasholder (Wauconda Fire Dept)

Public Comment: *The public is invited to make an issue oriented comment on any matter of public concern. This part of the meeting is reserved for comments and is not an open question and answer period but a time for members of the public to make statements. The public comment may be no longer than 5 minutes in duration. Interrogation of village staff, the Mayor, Trustees or consultants will not be allowed during this time. Personal comments or attacks, impertinent, slanderous or profane remarks which are disruptive or impede the orderly conduct of the meeting relative to village staff, elected officials or consultants is prohibited.*

The Mayor requested a motion to open the meeting up to the public.

There was a motion to open the meeting up to the public by Trustee O'Malley, properly 2nd.

All were in favor.

Eberhard Becker, 3710 Eastway Drive: Voting meetings should be once a month. It seems that having two a month is very distracting for trustee and less efficient.

Joe Ptak, 3203 Carriage Hill Rd.: He is still waiting for the website to be updated with the latest minutes. He is concerned about our village's legal fees. They have increase tremendously from 2008 – 2009. In 2008 they were \$194,000. For 2009 the legal fees were \$240,000. Ancl Glink received approximately \$127,000 for 2008. For 2009 they received around \$204,000 which is approximately 85% of our legal costs.

Due to the length of the agenda the Mayor requested a motion to bring the meeting back to the board.

There was a motion to bring the meeting back to the board by Trustee Verciglio, properly 2nd.

All were in favor.

Items from the Mayor: The Mayor deferred comment because of length of agenda.

Items from the Clerk: No comment for this evening.

Trustee Saville: He requested to go into executive session for personnel.

Trustee Verciglio: Made a statement regarding the Mayor and her actions regarding the chief stating she has the right to do what she did.

Trustee Mascillino: Budget should be ready for finance and administration meeting in mid March.

Trustee Verciglio: He stated he would like to go into Executive Session for Personnel.

He would also like a consensus from the board regarding the approval of ISAT signs; to waive the fees and let them proceed. Trustee Saville was opposed. Trustee Ponio was opposed due to the fact that an ordinance was just passed for contractors to pay a fee. Everyone should or everyone shouldn't pay a fee. Trustee Rabattini had no comment. Mayor Herrmann stated waive the fees.

Trustee O'Malley had nothing for this evening.

Trustee Rabattini state she would like to hold her comments until the attorney arrives

Trustee Ponio was contacted by a person that was concerned about liquor establishments and fights on their premises. The Village should make a better attempt at overseeing businesses with liquor licenses. What can we do about these incidents and holding the vendor accountable?

Agenda Items

1. Approval of Field Usage Contracts – Trustee O'Malley

A. There was a motion to approve the Field usage agreement between the Village of Island Lake (Village) and the Bull Dog Youth Sports (Licensee) by Trustee O'Malley, properly 2nd.

Discussion: Trustee Ponio stated that 40 – 60% of the field usage is by Wauconda residents and 33% is Island Lake residents. LYAA charges for field usage, what would it cost our village to maintain fields. Why don't we put a survey in the newsletter and see what the village residents would like?

Upon roll call trustees voted as follows:

Ayes: Trustees O'Malley, Ponio, Mascillino, Verciglio
Nays: Trustees Rabattini and Saville

Motion Carries

B. There was a motion to approve the Field usage agreement between the Village of Island Lake (Village) and Lacrosse (Licensee) by Trustee O'Malley, properly 2nd

Upon roll call trustees voted as follows:

Ayes: Trustees O'Malley, Ponio, Mascillino, Verciglio
Nays: Trustees Rabattini and Saville

Motion Carries

C. Motion to Approve the Field usage agreement between the Village of Island Lake (Village) and the Wauconda Area Youth Soccer Club (Licensee) by Trustee O'Malley, properly 2nd.

Upon roll call trustees voted as follows:

Ayes: Trustees O'Malley, Ponio, Mascillino, Verciglio
Nays: Trustees Rabattini and Saville

Motion Carries

D. Motion to approve the field Usage agreement between the Village of Island Lake (Village) and the Lakes Youth Athletic Association (Licensee) by Trustee O'Malley and properly 2nd.

Upon roll call trustees voted as follows:

Ayes: Trustees O'Malley, Mascillino, Verciglio and Mayor Herrmann
Nays: Trustees Rabattini, Ponio, Saville

Motion Passes

2. Approval of the Windy City Amusements, Inc Carnival Contract commencing August 6, 2010 and Ending August 8, 2010 – Trustee O'Malley

Motion to approve the Windy City Amusements, Inc Carnival Contract commencing August 6, 2010 and Ending August 8, 2010 by Trustee O'Malley, properly 2nd

Upon Roll Call Trustees Voted as follows: Ayes: Trustees O'Malley, Rabattini, Mascillino,
Verciglio
Nays: Trustees Ponio and Saville

Motion Passes

3. Approval of an Ordinance approving the Intergovernmental Agreement between the Village of Island Lake and Northern Moraine Wastewater Reclamation District – Trustee Verciglio

A Motion was made to approve the Ordinance approving the Intergovernmental Agreement between the Village of Island Lake and Northern Moraine Wastewater Reclamation District by Trustee Verciglio, properly 2nd.

Upon Roll Call trustees voted as follows: Ayes: Trustees O'Malley, Mascillino, Verciglio and
Mayor Herrmann
Nays: Trustees Rabattini, Ponio, and Saville

Motion Passes

4. Discussion regarding an ordinance to hire an independent investigator to investigate allegation regarding Chief Sciarrone and Officer Manetti – Trustee Ponio

He is concerned the investigation will not be fair to the officers. Feels we should have outside investigators handle the investigation. It doesn't matter who we hire, it will be expensive.

Trustee Rabattini: This is a costly investigation. Who would you have do it? This should not have been an open checkbook. There should have been an estimate presented to the board.

Trustee Saville: We don't have internal affairs. We can't clean our own house. In Island Lake where there is smoke there is raging fire. Not sure about an internal firm can do the investigation. Internal ranks protect each other.

Trustee Mascillino: Would like to see the investigation come to an end. There is nothing improper about the law firm doing this investigation. At this point she doesn't see starting over.

Trustee Verciglio: He believes we can clean up our own mess. We should leave in house. If you go outside you will be back to square one.

Trustee O'Malley: We don't even know what the investigation is about.

Atty Anderson: There is case law for this. It was Round Lake in 1982. The Mayor does have the right to put an officer on leave without the consent of the board.

The chief's contract expired almost a year ago and you didn't even know it.

5. Discussion of removal of Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, PC Law Firm from Sciarrone and Manetti Investigations – Trustee Ponio

Goes along with number four. We need somebody that doesn't have anything to do with our village history. Find someone else to investigate that doesn't have ties to the mayor.

Trustee Rabattini: She has received an opinion that contradicts Mayor Herrmann's investigation. She supports bringing in someone else to handle the investigation.

6. Discussion regarding an ordinance requiring a 2/3 majority vote by the Board of Trustees to allow any village employee to be placed on administrative leave or suspended from their duties with or without pay – Trustee Ponio

He would like an ordinance for this. No one person should have the power to terminate an employee or put someone on leave. The board should have been informed. The Manetti investigation is going on two months with no pay for him. The Mayor doesn't have any idea what is going on with Manetti. This is one way for the Board to have checks and balances with the Mayor.

Trustee Verciglio: We had an ordinance that required 2/3 vote. We changed it back to match state statute. This should go to the ordinance committee.

Trustee Ponio would like to eliminate the Ordinance Committee so that he can bring an ordinance directly to the board.

Trustee Mascillino: Three village employees are not union. Most are governed by the union contract.

Trustee Rabattini: We need to allow employees to do their job and not worry about doing their job.

7. Discussion regarding the Mayor or any person in authority being required to get approval by consensus from the board prior to giving any employee of the village a written warning concerning any disciplinary action due to an employee's behavior or actions if such a written warning is deemed necessary by the Mayor or person of authority – Trustee Ponio

Part time police should be disciplined by the Chief of Police not the mayor. He wants board to agree on disciplinary action. Make a policy that one particular person should not have power over everyone. We need a great deal of research to make sure it is legal and follows the 150 contract.

8. Discussion of adopting a standard policy, including forms, for disciplinary action regarding any employee of the village including a 4 step disciplinary action policy – Trustee Ponio

There is no written documentation in files of Chief and Manetti, so we should know why they are on leave. He would like a standard policy in the manual.

Trustee Mascillino: The employee handbook was updated in 2003. It needs to be updated once again.

9. Discussion of paying health insurance in arrears – Trustee Rabattini

On February 1, 2010 health insurance was suspended by the union, then immediately reinstated. Employees should not have to worry about this. Suspension of health insurance happened once before. She is requesting that health insurance premiums be paid one month in advance.

Trustee Mascillino – This was a problem because the bills were not approved for payment. In the past thirteen years, we have not had this problem except when the bills weren't approved.

Trustee Verciglio – The current process has been in existence for fourteen years. You voted not to pay all of the bills.

10. Discuss a change of practice for bill payment – Trustee Rabattini

There was a consensus that the board does not want to change the bill paying procedure.

Upon completion of the agenda items there was a motion by Trustee Mascillino to open the meeting up to the floor that was properly 2nd.

All were in favor.

Mike Herrick, LongAcre Lane: Where did it come out that Ancel Glink was running an investigation. Why don't we sit back and wait to see what happens.

Joe Ptak, 3202 Carriage Hill: He congratulated the board for the dialog this evening.

Resident, 4508 Vista Drive: This resident agreed with Mr. Herrick, however, no matter what was underlying, this was done in poor practice not to have some sort of information passed on to the trustees. A lawyer would have made a statement that stated this is what is being done and I can't state more due to a pending investigation.

Resident 323 Hillside Drive: How long will investigation take?

Atty Anderson: There is no way to estimate how long this will take due to legal protection for the witnesses.

Do you have an estimate as to where you are with the investigation?

Atty Anderson: There is no estimate at this time, but we are moving along quickly with the witnesses that are talking to me.

There was a motion by Trustee Verciglio to bring the meeting back to the board and it was properly 2nd.

All were in favor.

Mayor entertained a motion to move into executive session.

Motion to move into executive session by Trustee Verciglio for disussion of personnel and it was properly 2nd

Upon role call Trustees voted as follows:

Ayes: Trustees O'Malley, Rabattini, Ponio, Saville, Mascillino, Verciglio

Motion Passes

Board moved into executive session at 10:00 pm.

Let the record show that upon returning to Regular Session there was no action taken in Executive Session.

Motion to Adjourn

All were in favor.

Meeting was adjourned at 10:40.

Pam Miller, Village Clerk