

## **VILLAGE OF BARRINGTON HILLS**

Minutes of the Regular Meeting October 26, 2009

President Abboud called the Regular Meeting to order at 6:34 p.m. Roll Call.

### Present

Fritz H. Gohl, Pro-Tem  
Walter E. Smithe, Trustee  
Steven Knoop, Trustee  
Beth Mallen, Trustee  
Elaine M. Ramesh, Trustee  
Doug Wambach, Village Attorney  
Robert Kosin, Director of Administration  
Michael N. Murphy, Police Chief  
Karen S. Selman, Village Clerk

### Guests

Cliff and Pat Sherwin, residents  
Jonathan Knight, resident  
John A. Martens, resident  
John and Tracy Fawkes, residents  
Alex Gilberts, resident  
Frank Cools, resident  
Linda E. Lapin, resident  
Evan Harris, resident  
Alex Gamota, Woburn, MA  
Michael Hill, Chicago, IL  
Judith Cooper, resident  
Charlie Calo, resident  
Dan Strahan, Village Engineer  
Joseph von Meier, Village Attorney

Trustee Knoop motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:40 p.m. Trustee Gohl seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Smithe, Knoop, Gohl, Abboud)

Nays: 0

Absent: 1 (Vacancy)

**Meeting Adjourned**

### **EXECUTIVE SESSION**

President Abboud called the Public Meeting to order at 7:34 p.m.

**MINUTES**

Trustee Smithe motioned to approve the minutes of the Regular Meeting of September 28, 2009. Trustee Gohl seconded. All present said Aye.

**Motion Approved**

Trustee Gohl motioned to approve the minutes of the Executive Session of September 28, 2009. Trustee Smithe seconded. All present said aye.

**Motion Approved**

Trustee Gohl motioned to dispose of the minutes of the Executive Session of January 28, 2007. Per Illinois law, these minutes have been kept for eighteen months. Trustee Smithe seconded. All present said aye.

**Motion Approved**

**ADMINISTRATION** – President Abboud nominated Joseph S. Messer to fill the trustee seat made vacant by Trustee Wessel’s death. This is a two-year appointment. Mr. Messer currently serves on the Zoning Board of Appeals. Trustee Gohl motioned to accept this nomination, and Trustee Knoop seconded. All present said aye.

**Motion Approved**

Trustee Messer tendered his letter of resignation from the Zoning Board of Appeals.

**HEALTH, ENVIRONMENT, BUILDING & GROUNDS - Beth Mallen**

Joseph von Meier, Village Attorney presented the lease application from the American Tower Corporation (ATC). Alex Gamota was present to discuss the terms of ATC’s lease agreement with the Village regarding the two-room brick building used for police communications and formerly leased by AT&T for cellular transmission. AT&T has recently ended its use of one room of the building, moving its operation to Barrington Pool antennae, and ATC has proposed the deployment of a DAS system for this space. The Village has agreed, and a lease of that space has been drafted by the Village Attorney with AT&T formally terminating its lease with the Village and ATC accepting certain functional elements to be undertaken at ATC’s expense regarding its constructing, maintaining, securing and operating a communications facility in the space. Trustee Gohl motioned to accept the AT&T lease termination. Trustee Smithe seconded. Roll call:

Ayes- 7 (Messer, Ramesh, Mallen, Knoop, Smithe, Gohl, Abboud)  
Nays – 0  
Absent – 0

**Resolution 09-20 Approved**

Trustee Mallen motioned to accept the lease agreement with ATC as proposed. Trustee Smithe seconded. Discussion followed with Trustee Ramesh raising several issues regarding the lease. Mr. Gamota agreed to add, strike, and change some of the language in question to satisfy the raised concerns. Trustees Gohl and Smithe requested improved clarity in the language and terms for the lease duration. Roll Call:

Ayes - 7 (Messer, Ramesh, Mallen, Knoop, Smithe, Gohl, Abboud)  
Nays - 0  
Absent - 0

**Resolution 09-21 Approved**

**Planning – Steven E. Knoop**

Gerald Callaghan, Special Counsel to the Plan Commission, presented the Vacation Ordinance regarding Harris Properties, LLC, owners of Abbey Woods Subdivision. The Final Plat of the Abbey Woods Subdivision was approved by the Village and recorded on August 9, 2007. Representatives of Harris Properties, LLC, owners of Abbey Woods are seeking the Board's approval of vacation of the HWL (High Water Level) designation on lots #3, 4 and 5 of the Plat of Subdivision. This designation is not required by either the Village Engineer or the Subdivision Ordinance. The owner plans to grade lots 4 and 5 for future sale. The Plan Commission recommended to the Board of Trustees of the Village that the HWL on Lots 3, 4 and 5 be vacated from the Plat of Subdivision. Discussion followed regarding the ability of the Village to administratively change a plat. Trustees were reluctant to approve without seeing how the lots would be re-engineered. President Abboud suggested the Trustees vote and then the Village staff can determine possible solutions. Roll call:

Ayes – 0  
Nays – 6 (Messer, Ramesh, Knoop, Smithe, Gohl, Abboud)  
Abstain – 1 (Mallen)

**Resolution Failed**

**PUBLIC COMMENT**

President Abboud opened the public comment session. Responding to the recent Village Open House regarding the proposed closing of Chapel Road, Mr. Cliff Sherwin of 12 Alderberry Lane said he has owned his house since 1991 and has only seen Chapel flood once during that time. President Abboud stated that because of changed hydrology over the years, the road will continue to deteriorate causing structural damage, which will increase liability for the Village. Ms. Pat Sherwin opined that if the road is closed, her residence and that of her neighbors would be landlocked. Mr. Gilberts of 10265 Church Road, stated he had lived here forty years and was opposed to the closing of Chapel. Mr. John Martens, 11 Alderberry Lane questioned if possible field drain tiles were contributing to the recent flooding. Mr. John Fawkes asked if the road could be piped to avoid flooding. Ms Judith Cooper, 10555 Church Road, said that this is the first year she has seen flooding of Chapel. President Abboud replied that the Open House was meant to afford residents an opportunity for open communication regarding Village plans. He assured the residents who missed the Open House that they would receive the Open House documents.

He stated that the Village will continue to seek solutions, including working with Algonquin Township and determining ways to go around the wetlands. Ms. Tracy Fawkes stated it was impossible to get a horse trailer down Church Road in the winter. President Abboud said the Village spreads 400 pounds of salt per mile in the Winter, and that he'll take a look at Church. She added that Church is overgrown and that the edge of the road has deteriorated from people driving on it. Ms. Pat Sherwin said there is an abandoned house that raised concern in the area. President Abboud advised the neighbors to take photos and dial 911 if they see suspicious activity. Ms. Fawkes and others complained that recent movie filming had completely closed Chapel Road all day and that advance notice of these activities would have been helpful. Chief Murphy apologized and said that protocol is to notify residents. Residents suggested possible Federal revenue to help avert the wetlands. President Abboud said he is not aware of the availability of such funds at this time, but will investigate the availability of such. With no further public comment, the Public Comment session concluded at 9:35 p.m.

**FINANCE - Walter E. Smithe**

Village Treasurer's Report - Trustee Smithe motioned to accept the Treasurer's Report for the month of October, 2009. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Police Pension Board Report - Trustee Smithe motioned to accept the Police Pension Board's Report through September 30, 2009. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Overtime Reports – Trustee Smithe motioned to approve \$11,627.65 in overtime expenses for expenses up to October 15, 2009. Trustee Mallen seconded. Roll call:

Ayes – 7 (Messer, Ramesh, Mallen, Knoop, Smithe, Gohl, Abboud)

Nays – 0

Absent – 0

**Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve payment of the bills for the month of October to date of \$229,127.37. Roll call:

Ayes – 7 (Messer, Ramesh, Mallen, Knoop, Smithe, Gohl, Abboud)

Nays 0

Absent 0

**Motion Approved**

## **ROADS & BRIDGES** –

Drainage Program- Dan Strahan reported that the contractor will begin next week and that the surface patching of River Road is finishing in a week or two.

The Chapel Road Open House was held on October 13 at Village Hall to accept resident input regarding the potential closure of Chapel Road due to the drainage issues in the area. Twelve residents attended the afternoon session, and nine residents attended the evening session.

A meeting was held with Strahan, Abboud, and Ramesh regarding road repairs. It is intended that shoulder work on Oak Knoll will be completed before the end of November, as well as work on Chapel road and surface sealing of Cuba road bridge. The bridge will be watched this Fall as concern was raised regarding the exposed rebar.

Trustee Ramesh expressed an interest in meeting with private road associations within the Village. President Abboud directed Director Kosin to set up a meeting in November. He suggested the Village needs to have the names and contact information for association presidents in the Village.

## **PUBLIC SAFETY** - Fritz H. Gohl

President Abboud met with Chief Murphy to review the last eighteen months regarding burglaries in the Village.

## **BUILDING & ZONING** – Elaine M. Ramesh

Trustee Ramesh reported that eight permits were issued in September, of which one was for a single-family home.

The Zoning Board of Appeals held a meeting at Countryside School regarding the Draft Lighting Ordinance and will hold a subsequent meeting next month.

## **INSURANCE** – Walter E. Smithe

**No report**

## **HEALTH, ENVIRONMENT, BUILDING & GROUNDS** – Beth Mallen

President Abboud directed Chief Murphy to distribute H1N1 information on the Web. He underscored the importance of the officers taking care of themselves. Regarding the inoculation of the Department's officers, Good Sheppard Hospital will come when they're available.

The semi-annual Make A Difference Day was held on October 24<sup>th</sup>. This Roadside Trash Pick UP event focused on Bateman Road, Helm Road, and Healy Road. The closing of one lane of Bateman Road worked well, allowing for volunteers to pick-up trash along the road from Algonquin to Dundee Road. The volunteer effort finished around 11:15am.

**ATTORNEY – Douglas Wambach**

Attorney Wambach reported that effective January 1, 2010, New Freedom of Information and Open Meeting Act legislation will be effective. This legislation will affect all requests for records. He suggested that Chief Murphy, Director Kosin, George Lynch and he, prepare for the upcoming changes in the Act. Mr. Wambach said that the Village needs amend its Village Code. Trustee Ramesh suggested that Clerk Selman be added to the list of those needing to be trained. The changed legislation will require a change in strategy on how to respond to requests and a need to post more on the Web.

**COMMUNICATIONS -**

Linda Fox reported on the work being done on the portal. She anticipates the new portal being completed in a couple of weeks. Twitter is going strong, according to Ms Fox, and the next newsletter will be out on February 1, 2010.

Trustee Gohl motioned to adjourn the Public Session at 10:15 p.m. Trustee Knoop seconded. All present said aye.

**Meeting Adjourned**

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**Approved**