

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
NOVEMBER 20, 2006 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:34 p.m. President Sauer called the Meeting to order. The Village Clerk led the Pledge of Allegiance, and then called the roll:

Present: President Sauer, Trustees Farrell, Moran, Pino, Schnure, Tripicchio, and Contorno (arriving at 7:42 p.m.)

Absent: None

Also Present: Kathy Nelander, Village Clerk
Judy Janus, Village Administrator
J. W. Braithwaite, Village Attorney
Roberta Svacha, Village Treasurer
Bruce Kramper, 178 Pheasant Run Trail
Dave and Sara Peterson, 462 Signal Hill Road
Karen Nylen-Swidergal, 97 Carriage Road
Chip and Karla Combs, 108 Old Oak Drive
Angie Battin, 446 Signal Hill Road
Bill Sickal, 450 Signal Hill Road
Kristin Lennon, 470 Andrew Lane, Lake Zurich

II. Public Comment

There is no one who wished to speak.

III. Consent Agenda

Items:

A. Approve Minutes of Board Meeting—10/25/06

F. Resolution #_____ appointing Pat Ryan as Chairman Environmental Commission

were removed from the Consent Agenda for discussion at a later date.

Motion: On motion of Trustee Pino, seconded by Trustee Schnure, moved approval of the following agenda items by a single omnibus vote:

B. Approve the 11/20/06 Vouchers for payment of bills

C. Approve the Treasurer's Report for the 6th month of Fiscal Year 2007

D. Adopt Ordinance #1109 regarding Tax Levy

- E. Adopt Resolution 2428 regarding Tax Levy Road & Bridge
- G. Resolution #2429 re-appointing Kurt Kubon as Finance Committee Member

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Farrell, Moran, Pino, Schnure and Tripicchio
Nays: None
Absent: Trustee Contorno
Abstain: None

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

- A. Approve Minutes of Board Meeting—10/25/06

Trustee Farrell made some changes to the minutes regarding the Wynstone Snowplowing Agreement.

Motion: Trustee Tripicchio moved to approve the Minutes of the October 25, 2006 Board meeting as amended; seconded by Trustee Moran.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Farrell, Moran, Pino, Schnure and Tripicchio
Nays: None
Absent: Trustee Contorno
Abstain: None

President Sauer declared the motion approved.

- F. Resolution #_____ appointing Pat Ryan as Chairman Environmental Commission

Trustee Moran referred to the Minutes from the November Environmental Commission meeting where it states that the Commission would like to meet quarterly. Trustee Moran was not in favor of changing the Commission meetings from monthly to quarterly. Trustee Farrell concurred with Trustee Moran.

There was also discussion about salt meters in order to obtain saline levels at areas of designated testing points by independent consultants. President Sauer commented Lake County will test for free.

President Sauer suggested asking Pat Ryan to attend the next Board meeting to discuss his

position and activities.

Motion: Trustee Moran moved to table the Resolution appointing Pat Ryan as Chairman Environmental Commission until the next Board meeting on December 18, 2006; seconded by Trustee Tripicchio.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, Pino, and Tripicchio
	Nays:	Trustee Schnure
	Absent:	None
	Abstain:	None

President Sauer declared the motion approved.

IV. Amendments/Subdivisions/Variations

A. Consideration regarding Erikson property, 464 Signal Hill Rd., PUD Amendment

Mr. and Mrs. Thomas Erikson, 464 Signal Hill Rd., filed a petition to amend Planned Unit Development Ordinance 8.4 (PUD) in order to allow the creation of an additional lot. The total area of the Erikson property is approximately 5.065 acres. Mr. and Mrs. Erikson wish to subdivide their 5.065 acre property into two lots. According to a Memorandum dated November 6, 2006 from Kelly Patrick Rafferty, Village Building & Zoning Officer, to the Village Plan Commission, the 1962 Planned Development Ordinance prevents division of the property into two lots, unless the Village Board agrees to amend the Planned Development Ordinance 8.4.

The Village Board had the Minutes of the Plan Commission Public Hearing and Meeting of November 13, 2006, where the Plan Commission recommended denial of the petition.

David Peterson, 462 Signal Hill Rd., addressed the Board in opposition to the Petition to amend Planned Development Ordinance 8.4 dated September 24, 1962. He stated that subdividing the property for the purpose of building two single family residences is inconsistent with the Village's long-term comprehensive plan as well as, inconsistent with the zoning that has been in place since at least 1962. In addition Mr. Peterson stated that granting the Petitioner's request would set a dangerous and irreversible precedent; that the Petitioner has suffered no hardship.

Trustee Schnure said that he contacted Plaintiff's Attorney, Robert Best, prior to the Board meeting asking if the Erikson's were planning to attend the November 22nd meeting. Attorney Best informed Trustee Schnure that he would contact the Erikson's, however, that the issue was probably, pretty much dead.

Trustee Contorno commented that the Erikson's should be given proper due process and the Board would not want to deny anyone due process.

President Sauer stated Village Staff had spent considerable time on this issue, as well as the Plan Commission. President Sauer explained that the issue has been a six month process and that calling for a vote at this time would be fair.

Dave Peterson, 464 Signal Hill Road, spoke and urged the Board to make a decision in the absence of the plaintiffs at the originally published Plan Commission meeting. He also stated that some neighbors have attended at least two prior meetings regarding this issue.

Sara Peterson, 464 Signal Hill Road, addressed the Board stating the October Plan Commission Meeting was cancelled because the petitioner failed to attend.

No one appeared for the petitioner at the Board meeting although the petitioner was verbally notified at the Plan Commission hearing of November 13, 2006 that the matter would be before the Village Board on November 20, 2006.

Motion: Trustee Pino moved to deny the request to amend the Planned Unit Development Ordinance 8.4 for the property located at 464 Signal Hill Road, in order to create an additional lot; seconded by Trustee Farrell.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, Pino, Schnure, and Tripicchio
	Nays:	None
	Absent:	None
	Abstain:	None

President Sauer declared the motion approved and the request denied.

V. COMMISSION AND STAFF REPORTS

President Sauer stated that the following items were contained in the Trustee's packets distributed on the Friday prior to the meeting and that if there were any questions, to contact the corresponding Commission Chair or Village Officer.

- A. Building Department Report (Kelly Rafferty - Rafferty Architects)
- B. Building Inspection Report (B&F Technical Code Services, Inc.)
- C. Health & Sanitation Report (Natalie Karney - Land Technology)
- D. Engineering Project Status Report (Andrea Pracht – Baxter & Woodman)
- E. Parks & Recreation Commission Meeting Minutes (11/06/06)
- F. Plan Commission Hearing and Meeting Minutes (11/13/06)
- G. Environmental Commission Meeting Minutes (11/09//06)

VI. ADMINISTRATION – President Bruce Sauer

A. (Tabled) Resolution #2431 regarding Teleconferencing

The Resolution had been made available to the Board in their packet materials. President Sauer explained that at last month's meeting, the Resolution regarding Teleconferencing was tabled for further research and discussion.

Motion: Trustee Schnure moved take from the table the Resolution regarding Teleconferencing for further discussion; seconded by Trustee Contorno.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Sauer declared the motion approved and the matter removed from the table.

Trustee Pino said that he was in favor of extending teleconferencing to the Village Board, but asked if the Board should offer teleconferencing to all the Commissions. Trustee Pino said that he felt that teleconferencing should be limited to the Village Board.

Village Attorney J. W. Braithwaite explained that statute 5 ILCS 120/1/02 permits attendance by electronic means at every committee and every commission and the decision is optional for the Board. Currently, teleconferencing extends to the Village Board and Plan Commission.

There was lengthy discussion as to why an additional Resolution was needed as the Village already had one in place for teleconferencing. Village Attorney Braithwaite explained that if the Board didn't adopt the rules of the new State Statute by the first of the year, the Board would not be able to utilize teleconferencing. The proposed Resolution was amended to allow teleconferencing for only the Corporate Authorities.

Motion: Trustee Schnure moved to approve Resolution #2431 as amended; seconded by Trustee Contorno.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, Pino, Schnure, and Tripicchio
	Nays:	None
	Absent:	None
	Abstain:	None

President Sauer declared the motion approved.

B. Leaf Burning Survey Update

President Sauer said that the Leaf Burning Survey had been sent out and the Village was

waiting on the survey's results. The Board thanked resident Bruce Kramper for his efforts with regard to the survey.

C. Honey Lake – Update

President Sauer reminded the Board that the Village wanted to wait to see the results of Biltmore Country Club's study before moving forward with the additional study by V3 Companies of Illinois, Ltd. Although Biltmore's study has been completed and they have had the information for quite some time, Biltmore has told the Village that the results of these tests will not be available to the Village until December 9th. There was some discussion about a lack of cooperation on the part of the Club. Trustees Pino and Schnure have offered to attend the December 9th meeting at Biltmore but will ask for meeting materials in advance. There was some discussion about the surrounding watershed and the probability of the salt levels changing due to outside factors and/or by the actions of the club itself. The Board will discuss the matter further at the December 18th Board Meeting.

D. DiMucci Property (Rand & Old McHenry Rd.) – Update

President Sauer explained that Village Attorney J. W. Braithwaite has reported that in a recent court decision, the State Legislature amended the Boundary Agreement Statute to provide that if anyone violates the provisions of a boundary agreement, the agreement is no longer valid. President Sauer explained that he feels that the existing Boundary Agreement with Hawthorn Woods regarding the DiMucci property is at risk and has asked Village Attorney Braithwaite to set up a meeting with State Senator Bill Peterson and Lake County Board Member Mark Beaubian in order to see what kind of legislation could be passed to amend this new statute.

VII. Reports by Board of Trustees

A. Trustee Rick Contorno

Trustee Contorno reported that early this year the Village stopped special patrols by the Lake County Sheriff's Department. He stated that these special patrols had been in place for quite sometime and he felt that they were no longer needed. A few special patrols were put in place after construction started on the Kelsey Road bridge, however, since then, there have been no issues. Trustee Contorno advised if an issue arises, the Village may request a special patrol to be put in place.

B. Trustee Jane Farrell

Trustee Farrell reported that Cassidy Towne, Chairman of the Parks and Recreation Commission, will be stepping down from her position after serving the Commission for over 10 years. The Parks and Recreation Commission will be looking to fill the position. The last meeting of the year will take place at Trustee Farrell's house on December 4th where Cassidy will be

honored. She invited the Board to attend the meeting.

C. Trustee Moran

Trustee Moran reported that the last Plan Commission meeting addressed the Erikson petition as previously discussed and there was nothing additional to report.

D. Trustee Al Pino

Trustee Pino reported that the Zoning Board of Appeals did not meet in November although he plans on attending the next meeting. Trustee Pino also said that he was happy to participate in the formulating the leaf burning survey and looks forward to the results.

E. Trustee John Schnure

Trustee Schnure reported that the Health and Sanitation Commission will meet on December 5th and Trustee Schnure plans to attend. Trustee Schnure also noted that SWALCO had changed the meeting dates from monthly to quarterly.

F. Trustee Frank Tripicchio

Trustee Tripicchio reported that Gewalt Hamilton Associates, Inc. completed the road inspection in the Village and are currently compiling the information. They should have a preliminary report in December and will attend the January Board meeting to give a presentation of their report.

VIII. CLOSED SESSION: Motion: Trustee Pino moved a portion of the meeting be closed to the public, effective immediately as permitted by 5 ILCS 120/2(A) (c), to consider the acquisition of real property by the Village, or to consider the selling price of real estate and 5 ILCS 120/2 (C) (11), to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal or which is probable or imminent and 5ILCS 120/2(C) (1) to discuss personnel; seconded by Trustee Contorno.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, Pino, Schnure and Tripicchio
	Nays:	None
	Absent:	None
	Abstain:	None

President Sauer declared the motion approved.

The Board went into Closed Session at 8:50 p.m.

IX. RECONVENE OF OPEN SESSION

President Sauer reconvened open session at 9:20 p.m.
The roll was called and a quorum re-established.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

Trustee Schnure reminded the Board that he had previously discussed charitable contributions by the Board. He distributed a list of possible recipients to the Board for review; most of which had received donations in the past. This year's budget allows for \$10,000.00. President Sauer asked that the Trustees review the list for further discussion at the December meeting.

XII. ADJOURNMENT

There being no further business to come before the Board, Trustee Pino moved to adjourn the meeting; seconded by Trustee Contorno.

At 9:25 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held December 18, 2006.

Attest: _____
Kathy Nelander, Village Clerk