

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,  
JANUARY 22, 2007 AT THE NORTH BARRINGTON VILLAGE HALL,  
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:35p.m. President Sauer called the Meeting to order. The Deputy Village Clerk led the Pledge of Allegiance, and then called the roll:

Present: President Sauer, Trustees Contorno, Farrell, Moran, Pino, and Schnure

Absent: Trustee Tripicchio

Also Present: Kathy Nelander, Village Administrator

Kris Lennon, Deputy Village Clerk

J. W. Braithwaite, Village Attorney

Roberta Svacha, Village Treasurer

Joe Arizzi, Wauconda Fire Department

Bruce Kramper, 178 Pheasant Run Trail

John Cifonelli, 297 Oxford Road

Barry Altshuler, 211 Biltmore Drive

John and Nancy Hoppe, 476 Eton Drive

William Hazelhurst, 235 Honey Lake Court

Pat Ryan, 404 Concord Lane

II. Public Comment

Bruce Kramper, 178 Pheasant Run Trail, addressed the Board regarding the leaf burning survey. Mr. Kramper, Trustee Pino and Pat Ryan reviewed a number of surveys in the Village Hall. Mr. Kramper stated that due to the results of the survey, the Village should be given the opportunity to be educated by an expert on the hazards of leaf burning. He would like to be a voice for those residents who voted for the ban.

Trustee Contorno commented that the surveys gave the Village a better understanding of the leaf burning issue and generated an incredibly high turnout; the results showed it was nearly an even split between those who are for leaf burning and for those who are against; there was no mandate and the issue deserves continued consideration.

There was discussion about the results of the survey. The Board agreed that it is an important issue and deserves continued consideration and agreed that it would benefit the Village to hear experts speak on the topic.

The results of the survey will be available to the newspapers and posted on the Village website.

III. Consent Agenda

Items:

- A. Motion to approve Minutes of Board Meeting – 12/18/06
- B. Motion to approve the 1/22/07 Vouchers for payment of bills

were removed from the Consent Agenda for discussion.

Motion: On motion of Trustee Pino, seconded by Trustee Contorno, moved approval of the following consent agenda items:

- C. Motion to approve the Treasurer's Report for the 8th month of Fiscal Year 2007
- D. Resolution #2436 appointing Cathy Howes as Vice Chairman, Parks & Recreation Commission

Discussion: There was no discussion.

Vote on Motion

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

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

- A. Motion to approve Minutes of Board Meeting – 12/18/06

Trustee Moran suggested some changes to the minutes.

Motion: Trustee Moran moved to approve the Minutes of the December 18, 2006 Board Meeting as amended; seconded by Trustee Schnure.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

- B. Motion to approve the 1/22/07 Vouchers for payment of bills

Trustee Moran had some questions about bills as contained in the Vouchers.

Motion: Trustee Moran moved to approve the 1/22/07 Vouchers for payment of bills; seconded by Trustee Schnure.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

#### IV. VARIATIONS

##### A. Ordinance # 1111, Hoppe, 476 Eton Drive, Zoning Variance

The Ordinance had been made available to the Board members in their packet materials. President Sauer explained the variances to the code requested by Mr. & Mrs. Hoppe.

ZR-10-1-2B and

ZR-10-4-2A,1,b: A non-conforming building or use shall not be expanded.

The subject property is non-conforming due existing building setback violations.

ZR-10-9-2A.3: From all roads or streets, the setback to any building or structure shall not be less than sixty (60) feet from the established centerline of the road right-of-way.

Based on the 60 ft. wide right-of-way established for Eton Drive, the required front yard setback shall be 30 feet. The existing house is located 22.18 feet from the front property line.

ZR-10-9-2B: From each side line, the setback shall not be less than ten percent (10%) of the average width of the lot, or ten feet (10'), whichever is greater.

Based on the average lot width of approximately 216 feet, the required side yard setback is 21.6 feet. The existing house is located 10.50 feet from the side property line.

President Sauer invited Mr. & Mrs. Hoppe to address the Board and explain their request.

President Sauer also invited Zoning Board of Appeals Vice Chairman Cifonelli to address the Board and explain the recommendation of the Zoning Board of Appeals. Mr. & Mrs. Hoppe said they would like to remodel their kitchen. Vice Chairman Cifonelli stated that the petition seeking relief from the zoning requirements for setbacks was heard at the Zoning Board meeting held February 9, 2007 and presented by Architect, Kaya Doyle, who represented the Hoppe's in their absence. Vice Chairman Cifonelli further explained that the foundation of the building would be minimally impacted, due to the addition of a bay window, and will have a foundation structure

under it. He explained that the Zoning Board considered it a minimal alteration to the existing foot print of the home. In addition, the impact of the drainage from the structure is minimal; the trees will be protected; and there are no health and sanitation issues. Vice Chairman Cifonelli said that the Zoning Board unanimously recommended approving the variance request.

Motion: Trustee Moran moved to adopt Ordinance #1111 granting approval of the variance for Mr. & Mrs. Hoppe to construct an addition to the kitchen and eating area to the existing home at 476 Eton Drive, using the plans prepared by Kaya Doyle, AIA, last dated 12/29/06; seconded by Trustee Schnure.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

B. Board consideration to waive Village Code Requirement for Fire Suppression System: Biltmore Country Club Equipment Storage Building, Resolution # 2437.

The Resolution had been made available to the Board members in their packets. President Sauer referenced a letter from Chief Terry Mastandrea of the Lake Zurich Fire Protection District which states that it was the opinion of the Lake Zurich Fire Protection District that the waiver requested by BCC pertaining to the installation of an Automatic Fire Suppression System be granted.

There was discussion about the Hold Harmless Agreement.

Village Attorney J. W. Braithwaite addressed the concerns of the Hold Harmless Agreement. Additionally, he requested that the proposed Resolution be changed. Mr. Braithwaite asked that the word "verbally" be stricken from the third paragraph of the proposed Resolution.

Motion: Trustee Pino moved to approve Resolution #2437 as amended to waive Village Code Requirement for Fire Suppression System for the Biltmore Country Club Equipment Storage Building, subject to legal review; seconded by Trustee Schnure.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

#### V. COMMISSION AND STAFF REPORTS

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

- A. Building Department Report (Kelly Rafferty – Rafferty Architects)
- B. Building Inspection Report (B&F Technical Code Services Inc.)
- C. Engineering Project Status Report (Andrea Pracht – Baxter & Woodman)

Trustee Moran made an observation concerning current projects and costs by Baxter & Woodman. He questioned the attendance of Baxter & Woodman at a Barrington Area Geographical Information System meeting and whether or not the Village has a standard for attendance; additionally, the costs associated for Baxter & Woodman to attend. He volunteered to attend one of the meetings.

President Sauer suggested Trustee Moran compile a series of standards or recommendations to possibly present to the Board. President Sauer stated it would be beneficial to verify account expenditures.

- D. Health & Sanitation Report (Natalie Karney – Land Technology)
- E. ZBA Public Hearing Minutes (1/9/07)

#### VI. ADMINISTRATION – President Bruce Sauer

- A. Watershed Development Permit – Approve Fees: Review Fee, Inspection Deposit

A Watershed Development Permit from the Lake County Stormwater Management Commission is required for the proposed upgrade of the Woodland Drive Crossing of North Flint Creek as per the standard provisions of the Lake County Watershed Development Ordinance. The Board needed to approve the costs for a review fee in the amount of \$3,040.00 and an inspection deposit in the amount of 1,100.00 to obtain the permit.

There were questions about the permit. Discussion about the project followed. A contract is pending.

Motion: Trustee Schnure moved to authorize payment to the Lake County Stormwater Management Commission for permitting and review fees for the Watershed Development Permit for the Woodland Drive Culvert project in the amount of \$4,140.00 from the Stormwater Management budget; seconded by Trustee Farrell.

Discussion: There was some discussion.

Vote on Motion

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

President Sauer declared the motion approved.

B. Connect-CTY, Rapid Call Program – Approve Contract

Information for the Connect-CTY, Rapid Call Program was distributed to the Board for their review at the December Board meeting.

President Sauer expressed his concern that the Village have an emergency response plan. In addition to emergency notification, the call program can be used for the promotion of other issues that may arise in the community. He also stated that residents would have the option to choose which information they would like to receive; mandatory information would be available to everyone. He suggested a small committee be organized to determine how the plan will be used and what information should be made available to the residents.

Trustee Schnure strongly objected to the call program being used for other issues other than emergency notification. He has concerns for those residents who are on the federally mandated do-not-call list.

Trustees Moran had concerns about the wording of the contract in regards to third parties possibly obtaining resident's personal information and The NTI Group, Inc. not being liable.

Trustee Pino stated the contract should be re-worded to protect the resident's privacy.

Village Attorney J. W. Braithwaite stated that The NTI Group, Inc. has an obligation to maintain confidentiality as written in the contract.

Trustees Moran and Pino would like to meet with Village Attorney J.W. Braithwaite to review contract.

The Board agreed to discuss the matter further after the contract is reviewed and revised.

VII. Reports by Board of Trustees

A. Trustee Rick Contorno

Trustee Contorno had nothing to report.

B. Trustee Jane Farrell

Trustee Farrell stated that there are two openings on the Parks and Recreation Commission and she is looking for interested persons.

C. Trustee Moran

Trustee Moran reported that the Plan Commission did not meet in January. The Commission is compiling a list of priorities for 2007 for review by the Board.

Trustee Moran informed the Board about an ongoing issue at 71 Saddletree Lane. The resident was starting construction of a "flight cage" which the owner claims will be used to rehabilitate sick, injured or orphaned birds of prey. A letter was sent on January 19, 2007 to the resident from Village Attorney J.W. Braithwaite addressing provisions of the Village Ordinance which prohibit the proposed structure and its proposed use.

D. Trustee Al Pino

Trustee Pino mentioned the Zoning Board of Appeals met on February 9, 2007 regarding the Hoppe zoning variation.

Trustee Pino attended the Barrington Area Historical Society which held a public ceremony to recognize donations and services from local businesses, organizations, and volunteers along with Trustee Schnure. The Village was recognized for giving a \$1,000.00 donation.

E. Trustee John Schnure

Trustee Schnure attended the Barrington Area Historical Society along with Trustee Pino. The \$1,000.00 donation given by the Village will be used by the society to restore a large bellows for the blacksmith shop.

Trustee Schnure reported both the Environmental Commission and the Health and Sanitation Commission did not meet for the month of January. There are two openings available on the Environmental Commission.

President Sauer questioned the \$143.00 spent for a Water Test Kit (saline) by the Environmental Commission. His concern was that the Commission did not inform the Board that they were independently testing the waters.

Trustee Schnure stated that the Commission should be able to act independently of the Board.

There was discussion. Everyone agreed that the Board and the Commissions need to

communicate more effectively so that the Commissions will not be discouraged and the Board is informed.

F. Trustee Frank Tripicchio

Trustee Tripicchio was absent.

VIII. CLOSED SESSION: Motion: Trustee Moran 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 by 5 ILCS 120/3(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(B) (1) to discuss personnel; seconded by Trustee Schnure.

Vote on Motion

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

President Sauer declared the motion approved.

The Board went into closed session at 9:15 p.m.

IX. RECONVENE OF OPEN SESSION

President Sauer reconvened open session at 10:01 p.m.

The roll was called and the quorum re-established.

X. OLD BUSINESS

There was no old business to discuss.

XI. NEW BUSINESS

Trustee Farrell asked the Board to reconsider establishing an end date to the Motion passed on November 11, 2004 which allowed the Wynstone P.O.A to be exempt from Village Code Section 6-2-5. Each year, Wynstone allows hunting by bow and arrow for the purpose of thinning the herd of deer within the Wynstone community during bow and hunting season.

Trustee Farrell passed out a statement to the Board with facts that she feels are still very important. She also included pictures of an injured deer that died on her property. Part of her statement included that: the Environmental Commission did not have enough data to make an informed decision; Wynstone did not have any type of scientific study of the deer population; it



could be argued that the change made to the code could allow any resident to hunt on their private property if they chose to get licensing from the DNR; Wynstone meetings were closed door; documentation showed that deer passed in and out of the Wynstone fence meaning that it was not just Wynstone's deer and that the deer population fluctuated.

President Sauer stated the Village is powerless to stop Wynstone from culling. Wynstone can obtain a license from the DNR without the approval of the Village. Wynstone originally brought it to the attention of the Village so that it did not become a public outcry.

Trustee Farrell moved that the Village Board establish a termination date for the permission to hunt deer by bow and arrow granted to Wynstone on November 11, 2004 and officially remove the Village from this issue.

Attorney J.W. Braithwaite stated unless it is on the agenda, the item cannot be voted on. He explained the Open Meetings Act requires items be on the agenda so the public has an opportunity to become aware of the issue.

Trustee Contorno stated that it is an issue that the Board at least consider for the benefit of the entire community.

President Sauer suggested if Trustee Farrell would like to present it to the Board at the February meeting, the Board could vote on it at that time.

## XII. ADJOURNMENT

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

At 10:03 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held February 28, 2007.

Attest: \_\_\_\_\_  
Kris Lennon, Deputy Village Clerk

