

**MINUTES OF A SPECIAL MEETING OF THE VILLAGE BOARD OF THE VILLAGE
OF NORTH BARRINGTON WHICH WAS HELD MONDAY,
MARCH 23, 2009 AT 7:00 P.M. AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD**

1. Call to Order and Roll Call

At 7:00 P.M. President Sauer called the Meeting to order. The Deputy Village Clerk called the roll:

Present in Person: President Sauer, Trustees Boland, Farrell, Kolar, Weiner.
Trustee Pino (in attendance via telephone conference call).

Absent: Trustee Koertner

Also Present: Kris Lennon, Deputy Village Clerk
Mr. & Mrs. Robert Bigony, 47 Castleton Court
Bill Tarsitano, 8 Kensington Drive

This Special Meeting was called pursuant to Notice; copy attached.

2. Approve Resolution #2514 - Resolution Approving and Authorizing the Execution of an Intergovernmental Agreement for Sewage Disposal for the Area of the Wynstone Property Owner's Association between the Village of North Barrington, the Village of Lake Zurich and County of Lake

The Resolution was made available to the Board.

Village Attorney J.W. Braithwaite distributed a revised red-lined version of the Agreement to the Board and explained that the primary change to the previously distributed Agreement provides that subsequent to the passage of the Resolution, the Village President has the power to make changes to the Intergovernmental Agreement.

Trustee Boland stated that the Resolution did not indicate Wynstone Property Owner's Association (WPOA) being a party to the Agreement and asked if the language was intentional.

Attorney Braithwaite explained that this was intentional as the Agreement was an IGA, which could only be between governmental units. There will be a separate agreement between the WPOA and the Village.

President Sauer noted that there is an obligation within the Agreement that allows future users, such as the unincorporated parcels or tracts located north of the Wynstone Subdivision and east of Route 12, to be connected to the pipeline subject to predetermined discharge flow rates. The pipeline will be considered a "regional sanitary sewer facility" and has been specifically defined by North Barrington, Lake County, Lake Zurich, and the Wynstone POA.

Trustee Boland stated that he could not locate where the off-site users would be limited to a certain capacity within the Agreement.

President Sauer noted that specifics had been previously discussed. Attorney Braithwaite explained that the Agreement may need to be modified subsequent to the passage of the Resolution.

Trustee Farrell asked if it was possible for the Wynstone sanitary sewer facility to incur discharge problems due to the Agreement's restricted hours for sewage flows.

Attorney Braithwaite replied that Lake County has the right to cut-off the flow during heavy flow periods however; the Wynstone sanitary sewer facility has the capability to store sewage via their holding tanks and that flow rates will need to be managed especially during the permissible hours.

There was further discussion among the Board about how the Wynstone POA will need to manage the flow rates.

Attorney Braithwaite asked Trustee Pino to verify for the record that he received a copy of the Resolution and the revised Agreement. Trustee Pino verified that he received a copy of the Resolution and the revised Agreement.

President Sauer asked for volunteers from the Board to work on definitions within the Agreement relating to potential problems following the passage of the Resolution. It was noted that audience member Bob Bigony would be a useful source due to his prior service on the Wynstone POA Board of Directors.

Trustee Weiner and Trustee Boland volunteered to review the Agreement.

Trustee Pino asked if clean-outs were designed as part of the pipeline in the event that maintenance is required. Attorney Braithwaite replied that the engineers would be responsible for designing clean-outs if needed. It was noted that Baxter & Woodman, Inc. would review the matter.

Attorney Braithwaite stated that was important to note an oversight within the Agreement in reference to future rates to be charged and that the Agreement is not specific and should be clarified that the rates have some resemblance to the cost incurred by the people imposing the rates.

Motion: Trustee Boland moved to approve Resolution # 2514; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Boland, Farrell, Kolar, Pino and Weiner
Nays: None
Absent: Trustee Koertner
Abstain: None

President Sauer declared the motion approved.

3. New Business

A. Approve Motion to Require Invoice for the Replacement of Damaged Street Lamp on Brook Forest Lane from Cuba Township Highway Department.

It was noted that Trustee Kolar received a letter dated 3/14/09 requesting that the Brook Forest Homeowner's Association be allowed to make repairs to a damaged custom light pole in their subdivision instead of Cuba Township and subsequently invoice the Village upon completion of the repairs and; the letter additionally requested Cuba Township Highway Commission to replace a custom made stop sign removed from the subdivision. A response letter dated 3/20/09 from Cuba Township Highway Commissioner Tom Gooch (Highway Commissioner) was received and distributed to the Board including a copy of a check to replace/repair the light pole from Cannon Cochran Management Services, Inc. made payable to Cuba Township in the amount of \$3,720.42. Trustee Kolar recommended that the Highway Commissioner be allowed to handle the repairs.

There was brief discussion among the Board about the custom made stop sign. Trustee Boland noted that custom made stop signs do not comply with state requirements and that Village presumably would not have authorized the installation of a custom made stop sign.

President Sauer stated that he would write a letter to the Highway Commissioner to complete the repair within a reasonable time frame.

There was discussion among the Board about whether the street light was originally approved in the subdivision development plans due to the light being on a public right-of-way.

Motion: Trustee Weiner moved to authorize the Village President to send a letter to the Cuba Township Highway Commissioner requesting that the street light be repaired within a reasonable period of time; seconded by Trustee Kolar.

Discussion: There was some discussion.

Vote on Motion

<u>By Roll Call:</u>	Ayes:	Trustees Boland, Farrell, Kolar, Pino and Weiner
	Nays:	None
	Absent:	Trustee Koertner
	Abstain:	None

President Sauer declared the motion approved.

4. Adjournment

There being no further business to come before the Board, Trustee Weiner moved to adjourn the Special Meeting; seconded by Trustee Farrell. The voice vote was unanimous in favor.

At 7:16 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held April 29, 2009.

Attest:

Kris Lennon, Deputy Village Clerk