

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting of the Board of Trustees
Monday, February 25, 2013

President Abboud called the Regular Meeting to order at 6:40 p.m. Roll Call.

Present

Robert G. Abboud, President
Fritz H. Gohl, President Pro Tem
Elaine M. Ramesh, Trustee (arrived 7:15 p.m.)
Joseph S. Messer, Trustee (absent)
Karen S. Selman, Trustee
Patty Meroni, Trustee
Harold Gianopulos, Trustee

Michael Murphy, Police Chief
Rich Semelsberger, Deputy Chief
George Lynch, Village Attorney
Robert Kosin, Village Administrator
Dolores Trandel, Village Clerk

Guests

Donato Cantalupo, resident
P. Denise Israel, resident
Jean Maddrell, resident
Kelly Mazeski, resident
Nick Chirikos, McHenry Co. Commissioner
Marty & Patti Fahey, residents
Linda Adair & Bill Adair, residents
John & Karen Rosene, residents
G. Baldwin
Ross Friedman
Martin McLaughlin, resident
Mike Hannigan, resident
Dan Strahan, Village Engineer

Trustee Gohl motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:41 p.m. Trustee Gianopulos seconded. Roll Call.

Ayes: 5 (Gianopulos, Selman, Meroni, Gohl & Abboud)

Nays: 0

Absent: 2 (Messer, Ramesh)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Meeting to order at 7:31 p.m.

APPROVAL OF MINUTES

Trustee Gohl motioned to approve the Minutes of the January 28, 2013 meeting. Trustee Meroni seconded. All present said Aye.

Motion Approved

Trustee Gohl made the motion to approve the January 28, 2013 Executive Minutes, Trustee Selman seconded. All present said Aye. Trustees Ramesh and Gianopulos abstained.

Motion Approved

Trustee Selman made the motion to dispose the Executive Session Meeting Recordings of May 23, 28, 2011. Trustee Meroni seconded. All present said Aye.

Motion Approved

FINANCE – Karen S. Selman

Treasurer's Report - Trustee Selman motioned to accept the Treasurer's Report for January, 2013. Trustee Gohl seconded. All present said Aye.

Motion Approved

Police Pension Board Report - Trustee Selman motioned to accept the Police Pension Board Report for January, 2013. Trustee Meroni seconded. All present said Aye.

Motion Approved

Overtime Reports - Trustee Selman made the motion to approve the Overtime Report from January 16, 2013 through February 15, 2013 totaling \$5,255.07. Trustee Meroni seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)

Nays: 0

Absent: 1 (Messer)

Motion Approved

Bills for Approval - Trustee Selman motioned to approve the bills for the month of January 16, 2013 to February 15, 2013, totaling \$249,714.74. Trustee Gianopulos seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh, Gohl & Abboud)

Nays: 0

Absent: 1 (Messer)

Motion Approved

ROADS & BRIDGES – Patty Meroni

Monthly Report

2013 Road and Drainage Program - Preliminary engineering and estimates for Spring Creek Road have been completed and the estimates are within the \$710,000 budgeted.

Proposed bids will be opened May 16th and the Board of Trustees will vote on this year's contract at the May 23rd meeting.

The drainage estimates are slightly higher than originally anticipated for extensive work west of Braeburn Road and north of Spring Creek Road and the culvert replacements on Creekside Lane.

Permitting with McHenry County and the Army Corps of Engineers will be processed February 15th through March 29th and bids will be presented at the April Board of Trustees meeting.

Cuba Road Bridge - Notices have been distributed to those owners whose properties will be affected by the bridge replacement. Approval of the preliminary design report should be available within a month so that preliminary engineering and funding applications can begin.

BACT - On February 5th Robert Kosin and Patty Meroni met with BACT to discuss their 2013 plans and ways to coordinate with the Village.

Homeowners Association Meeting – The meeting will be scheduled as soon as response is received on the availability of speakers.

Seasonal Road With Limit Posting – With the recent cold weather and snow/rainfall, there will be a weight limit imposed this year.

Algonquin Township Highway IGA Resolution – Trustee Meroni motioned to accept the Algonquin Township Highway IGA resolution. Trustee Gohl Seconded. All said Aye.

Resolution 13-04 Approved

Trustee Selman stated that the first Mug Club meeting will be this Saturday, March 2nd between 11:00 and 1:00 p.m.

PUBLIC SAFETY – FRITZ H. GOHL

Monthly Report – Trustee Gohl presented the monthly report which was included in the packet.

Surplus Property Disposal Ordinance – Trustee Gohl motioned to approve the Surplus Property Disposal Ordinance. Trustee Gianopulos seconded. Roll Call.

Ayes: 6 (Gianopulos, Selman, Meroni, Ramesh Gohl & Abboud)

Nays: 0

Absent: 1 (Messer)

Ordinance 13-02 Approved

BUILDING AND ZONING - Joseph S. Messer

Monthly Report – Five building permits were issued in January, 2013

363 Bateman Cir S: Police Department served Ms. Marie Stallone (daughter who signed contract to have trees removed) for August 24th court date re: mitigation. Attorney Busch asked the Court to enter an Order requiring Ms. Stallone to mitigate the damage by re-planting and a fine of \$750 per day for each day that she fails to comply with the Order. ComEd has cut service to this property. The Village Arborist provided, per the Court's request, the replacement cost of the removed trees (\$82,320 includes 3 year guarantee as required by code),. The Village filed an amended complaint requesting \$750.00/day for the non-conforming structure (barn without residence).

Update: In court on February 15th James Busch received a judgment of \$82,320 for mitigation, in addition to the previous \$7,000 judgment for removal of the trees. James Busch has been requested to research discovery of assets for Ms. Stallone.

8 Jennifer Court: Landscape contractor submitted plans to correct septic problem July 25th. GHA reviewed plans and responded via letter on August 6th. GHA had five issues with the plan. Mailed certified letter on November 20th advising two weeks to comply or matter will be referred to Village Attorney. Citation issued and sent to resident via certified mail on January 24th for 4-2-7 (D) discharge of sewage, 4-3-3 (1) altered drainage and 7-1-2 created cesspool

Update: Certified mail signed for on January 29th for a court date of March 12th.

551-553 Cuba Road: Home Occupation violation (mulch pile & landscaping) letter sent July 20th with 45 day response date of September 4. Dave Myers provided a letter to the Building Department August 29th stating he plans to be in compliance within the next 60 days or October 23rd.

Update: Citations to be issued for non-compliance.

385 Spring Creek Road: Expired pond permit issued August 7, 2006. Final notice letter requiring work to be completed and an "as built" drawing filed with the Village sent to property owner Roman Udzielak on July 20th with 45 day response date or September 4, 2012. Per the mortgage bank's attorney, home was sold back to bank on October 22nd with confirmation date of January 23rd. Sale confirmation deferred to April. Site to be considered for a dry hydrant.

Update: No change.

594 Plum Tree Road: Roads were created and property has become a dumping ground, although no further complaints since stop work order was posted. Realtor advised the Village the property is occupied by the owner. All attempts to contact property owner have failed to result in any response from owner. Property to be checked periodically for any further construction.

Update: No change.

1313 Plum Tree Road: Building permit issued August 31, 2006 for an addition and alteration. Rough inspections were made, last ones being completed in 2008, but the permit remains uncompleted. Property owner is in litigation with contractors. Certified letter sent November 27th advising the Village will close expired permit and any further work will require property owner to obtain new building permit to complete work. No response to date. Building Department to request status inspection before closing expired permit.

Update: Mr. Colby called on February 12th and will be returning to the area early April and will schedule a status inspection at that time as no one is available to permit access to the property.

74 Brinker Road: On October 18th the Building Department was made aware the resident has constructed a canopy/shelter over an outdoor hockey rink without a permit. Property owner was notified by certified letter on November 6th and has submitted plans for review.

Update: Structure inspected and CO issued January 31st.

189 Old Sutton Road: Received complaints from neighbors regarding burning violations and construction of a barn lean-to without a permit. Stop work order was posted October 31st and certified letter sent to property owner. Residence and barn are leased to separate tenants. Property owner and barn tenant are working with Building Department to resolve.

Update: Inspection made on February 12th and lean-to structure has been removed.

358 Bateman Circle South: Resident was re-grading property without a site development permit and a stop work order was posted November 1st. Resident is working with an engineer and Dan Strahan to provide necessary documents for site development permit. Dan Strahan advised the contractor could remove soil from right-of-way while awaiting building permit.

Update: Dan Strahan advised landscape architect that drawings look sufficient to submit for review. Application has yet to be received by the Building Department.

ZBA Report Hearing Request – The ZBA has been reviewing what they can do when an applicant for a variation who has already built a structure that violates the Zoning Code. They have come up with two suggested amendments to the Zoning Code. They also found that certain provisions of the Building Code were inconsistent with the general scheme of fines and penalties established elsewhere in the Village Code and suggested that the Board of Trustees amend the Building Code to address these inconsistencies. This item postponed until the Legal Committee looks at this item for general comment.

PLANNING – Elaine M. Ramesh

Monthly Report – The Plan Commission meeting of February 11th had been cancelled.

CCFPD Centennial Report – Included in packet.

East Dundee IAA Land Use Report – Special Counsel, Jim Kelly spoke with the East Dundee Village Attorney, O'Connor regarding the proposed IAA development. Mr. O'Connor understands that IAA is having a problem obtaining an easement from Commonwealth Edison. If IAA cannot obtain the easement, then the site plan will have to be revised triggering another hearing. In about thirty days, the redevelopment plan will be presented or a new site plan will be presented for hearings.

INSURANCE – Harold Gianopulos

Monthly Report – Nothing new to report.

HEALTH, ENVIRONMENT, BUILDINGS & GROUNDS – Harold Gianopulos

Monthly Report – The Barrington Hills Riding Club was presented with a Certificate of Appreciation and Commendation for their years of participation in the Roadside Cleanup Program in the Village of Barrington Hills.

Next Roadside Trash Pick-up is scheduled for April 20th.

Lorraine Briggs, member of the Heritage and Environs Committee, is placing name plates as birdhouses on the trees on Village grounds for the past Village Presidents.

ATTORNEY – Doug Wambach

Pending Litigation - Addressed in Executive Session.

Personnel – No report.

ADMINISTRATION – President Abboud

PUBLIC COMMENTS: None

Trustee Gohl made the motion to adjourn the Public Session at 8:30 p.m. Trustee Gianopulos seconded. All present voted Aye:

Meeting Adjourned

Approved