

**MINUTES OF THE PUBLIC HEARING ON THE VILLAGE APPROPRIATION ORDINANCE AND  
REGULAR BOARD MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF ISLAND LAKE, LAKE  
AND MCHENRY COUNTIES, HELD ON MAY 14, 2009**

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**PUBLIC HEARING ON THE VILLAGE APPROPRIATION ORDINANCE**

**CALL TO ORDER** Mayor Thomas Hyde called the meeting to order at 7:15 p.m.

**ROLL CALL** Trustee Garling, Herrmann, Mascillino, Ponio, Saville, and Verciglio

Clerk Kazmerek was present

Also in attendance: Village Attorney Scott A. Puma, Sgt. Green, Village Engineer Kevin Sutherland, Public Works Director Willie Kootstra, Creative Playtime Director Sharon Hyde, and Parks and Recreation Director Karen Luebber

**Those present stood and pledged allegiance to the flag.**

Mayor Elect Herrmann stated that the Appropriation is intact based on the information received from Mr. Little. Mr. Ponio the budget was vetoed so technically we don't have a budget in place. If there is no budget in place how do we appropriate the funds? Mr. Puma stated that on the agenda item #3 is the appropriation ordinance following a motion to reconsider the budget. If the budget is reconsidered then you can approve the appropriation ordinance. If the budget is not overruled then the appropriations expenditure money cannot be approved

If we could have a motion to open the meeting up to the floor.

Motion by Trustee Herrmann to open the meeting up to the floor. Properly seconded by Trustee Garling.

All those in favor say Aye: Trustees Garling, Herrmann, Mascillino, Ponio, Saville, Verciglio voted Aye

Nays: None

Meeting is now open to the floor for any questions as it relates to the ordinance.

No Comments.

If we could have a meeting to bring the meeting back to the board.

Motion by trustee Herrmann to bring the meeting back to the board. Properly seconded by Trustee Garling.

All those in favor say Aye: Trustees Garling, Herrmann, Mascillino, Ponio, Saville, and Verciglio voted

Nays: none

Closing of public hearing for the Village Appropriation Ordinance which is 1356-09

If we could get a motion accordingly:

Motion by Trustee Herrmann properly seconded by Trustee Garling

Role Call for closing the public hearing meeting

Upon roll call Trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Ponio, Saville, Mascillino, Garling

Nays: None

Absent: None

Abstain: None

Recognition of village employees with family members in the military

About a month ago Police Chief Sciarrone and local Girl Scouts put together and sent care packages over to family members. We thank you for that.

Clerk Kazmarek correspondence – no

Trustees correspondence – no

**Consent agenda items:**

Approval to pay the bills, approval of minutes from: 11/13/08, 1/15/09, 3/12/09 3/26/09, 4/9/09, 4/23/09, approval of summer camp registration signs, approval of the raffle permit – waiving of the fee for the mother bowling event and approval of Creative Playtime registration signs from Aug 1 – Aug 31 and the approval of committee reports: Building and Zoning Ordinance, Finance and Administration, Police and Public Safety, Parks Recreation and Education, Public Works, Economic Development

Motion to Approve Consent agenda items by Trustee Herrmann and seconded by Trustee Mascillino. Pull the minutes by Trustee Verciglio.

Motion to approve Consent Agendas as amended – minus Item 2 –Minutes by Trustee Herrman, properly seconded by Trustee Mascillino.

Upon roll call trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Mascillino, Garling

Nays: Trustee Ponio, Saville

Absent: None

Abstain: None

Motion was declared passed – Yes

Approval of the minutes

Approval of the minutes is being done individually:

Minutes for 11/13/2008 – Trustee Verciglio states there were parts missing. Latest edition parts still missing. Page 7 go from Mayor to Trustee Saville. Clerk Kazmarek was not at the meeting. She used the tape she was given.

Minutes for 1/15/2009 No comments

Minutes for 3/12/2009 Trustee Garling and Mascillino were marked absent. They were present and the minutes have been changed to reflect this.

Minutes for 3/26/2009, 4/9/2009, 4/23/2009 no problem. Trustee Verciglio had one more question – Since we did not approve the minutes from 12/04/09 can someone reformat the minutes. Karen Luebbbers did them and they should be in standard format.

6 sets of meeting minutes ready for approval: 11/13/2009, 1/15/2009, 3/12/2009, 3/26/2009, 4/9/2009, and 4/23/2009

Trustee Verciglio made a motion to accept the minutes as written. Properly seconded by Trustee Garling to approve the 6 sets of minutes as previously mentioned.

Upon roll call trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Ponio, Saville, Mascillino, Garling

Nays: None

Absent: None

Abstain: None

Motion was declared passed - Yes

Regular agenda items.

### **Agenda Items**

1. Motion to reconsider the 2009-2010 village budget by Trustee Herrmann, properly seconded by Trustee Garling.

Trustee Ponio – what does reconsider mean? Scott Puma responded that in order to override the veto there first has to be a motion as to whether you agree with the veto or not. If a majority of the board agrees that the veto should stand then it is not overridden. Then the second question is whether or not the ordinance should be approved.

Is this the same budget that went through before? Should be the same budget unless someone made changes. Date of the action goes back to the original date. If the item was changed then it is not a veto it is a new matter. Voting on the same question if the motion to reconsider is granted as a month ago. If you vote yes you are voting to revote on the budget as previously presented. If you vote no you do not want to vote on the budget as previously presented. This needs a majority.

Upon roll call trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Mascillino, Garling, Saville

Nays: Ponio

Absent: None

Abstain: None

Motion was declared passed – Yes

2. Approval of the 2009-2010 Village Budget – Trustee Herrmann

Trustee Herrmann made a motion to approve 2009-2010 budget, properly seconded by Trustee Garling

Upon roll call trustees voted as follows:

Ayes: Trustees Herrman, Verciglio, Mascillino, Garling

Nays: Trustees Ponio and Saville

Absent: None

Abstain: None

Motion was declared carried: Yes

3. Approval of Ordinance 1356-09 Village Appropriation – Trustee Herrmann

Motion to Approve Ordinance 1356-09 Village appropriation by Trustee Herrmann, properly seconded by Trustee Verciglio.

Upon roll call trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Mascillino, Garling

Nays: Trustees Ponio and Saville

Absent: None

Abstain: None

Motion was declared passed – Yes

4. Approval of \$2500 to Baxter & Woodman for Burnett Road Project.

Motion for approval of \$2500 payable to Baxter Woodman for the Burnett Road Project by Trustee Herrmann, properly seconded by Trustee Mascillino.

Upon roll call trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Saville, Mascillino, Garling

Nays: Trustee Ponio

Absent: None

Abstain: None

Motion was declared passed - Yes

5. Acceptance of McHenry Analytical Laboratory, Inc Water Analysis quotes to extend pricing in the amount of \$9,823.00 and for the board's approval for the mayoral signature on the IEPA Community Water Supply Testing Fund "No Participation" form

Motion to accept the McHenry Water Laboratory Proposal expenditure of \$9,823.00. Properly seconded by Trustee Garling. This was recommended by Neal in our Water Department as a result of what it gives them as an option in getting the test results back. IT should be noted that we have won a number of awards for taking care of our water properly and this is one of those steps in order to do the testing properly. Any further discussion? There was discussion regarding the length of the contract – 2 or 3 years and the price. Savings was greater with a three year contract. Approve it for three years only. If it is a different than that, let it come back to the board, in two weeks.

Trustee Verciglio then amended his motion to reflect this and was properly seconded by Trustee Garling to approve the amount of \$9,823.00 which we anticipate is a three year contract. If it is other than that it will come back to the board for discussion. Any further discussion. There was none.

Upon roll call trustees voted as follows:

Ayes: Trustees Herrmann, Verciglio, Ponio, Saville, Mascillino, Garling

Nays: None

Absent: None

Abstain: None

Motion was declared passed- Yes

6. Approval for SJN to hook up to the Village Water System. There has been ongoing discussion on this. Steve is in here tonight, the owner. We welcome you tonight. The board has received documentation, our attorney has put together the forms to finalize this. It needs basically a vote for the village to allow him to hook up to the water system. This has gone through engineering, it has gone through the inspection of the public works.

Trustee Garling made a motion to approve SJN hook up to the Island Lake water system. Properly seconded by Trustee Herrmann.

There was some discussion regarding this by Trustee Saville. Concerned about did not receive engineering report, no escrow account, easements.

Saville is bringing this up to protect SJN.

Motion to vote on the hook up for SJN. There are no additional qualifiers and we had a second.

Upon roll call trustees voted as follows:

Ayes: Trustee Herrman, Verciglio, Ponio, Saville, Garling, Mascillino

Nays: Non

Absent: None

Abstain: None

Motion was declared passed - Yes.

7. Motion for the acceptance of settlement regarding MTBE litigation.

Motion by Trustee Garling, properly seconded to adjourn the committee meeting. Being that no further business was discussed, the meeting adjourned at 8:07 pm. All in favor.

Discussion and approval of Ordinance 1-8A-13 Prevailing Wage Rate. Motion to table to July 9, 2009 meeting by Trustee O'Malley, seconded by Trustee Rabattini

Upon roll call vote, Trustees voted as follows:

Ayes:	O'Malley, Rabattini, Ponio, Saville, Mascillino, Verciglio
Nays:	None
Absent:	None
Abstain:	None

1. Approval to waive fees and permits for Summer Sensation 50/50 raffle signs and tents. Motion by Trustee O'Malley, seconded by Trustee Verciglio to approve

Trustee Ponio commented as to why it is always necessary to waive fees and permits as this seems to be done routinely. Mayor Herrmann responded that the ordinance is being updated and that the Village will be looking at this issue relative to not for profits who ask for waivers. Discussion ensued regarding how much was actually being waived and whether the Village should receive some of the money for fees. Several Trustees requested that in the future the actual amount of fees being waived should be provided to the Trustees so they know how much is being requested. Several Trustees agreed that there is a benefit for waiving fees for not for profits but that the Board should know how much those fees are. The Board also discussed being consistent in treating different not for profits.

Upon roll call vote, Trustees voted as follows:

Ayes: O'Malley, Rabattini, Ponio, Saville, Mascillino, Verciglio

Nays: None

Absent: None

Abstain: None

2. Approval to Adopt Village Board Policies for the Village of Island Lake. Motion by Trustee Mascillino, seconded by Trustee Verciglio to approve.

Trustee Mascillino said she spoke with other villages and officials and tried to prepare the policy to fit the Village's situation. Trustee Saville indicated that he did not receive it until a few days ago as he had not been to his mailbox at Village Hall in 2 weeks. Mayor Herrmann clarified that this was sent to all of the Board members at the same time after the agenda was sent out on June 23. Trustee Rabattini said she had numerous issues with the policy and did not want to be asked to vote on something before she has had a chance to comment. She also discussed communication problems which have occurred in the Village. Trustee Saville asserted that the committees should be utilized to review items like this before being brought to a vote. Trustee Ponio concurred. A lengthy discussion ensued about how items can be put on the agenda and when they should be voted upon. Mayor Herrmann suggested that this matter be deferred to the end of the meeting so if any members of the public had items which they wanted to discuss they would not be further delayed. Motion by Trustee Mascillino and seconded by Trustee Verciglio to defer this matter until after public comment.

Upon a roll call vote, the Trustees voted as follows:

Ayes: O'Malley, Rabattini, Ponio, Saville, Mascillino, Verciglio

Nays: None

Absent: None

Abstain: None

3. Approval to post signs for the July 4<sup>th</sup> parade. Motion by Trustee Mascillino, seconded by Trustee Rabattini to approve.

No comments.

Upon a roll call vote, the Trustees voted as follows:

Ayes: O'Malley, Rabattini, Ponio, Saville, Mascillino, Verciglio

Nays: None

Absent: None

Abstain: None

#### **Items from the Village Clerk, Trustees and Department Heads**

Trustee Saville noted that he has been receiving a lot of spam on his computer and would like to see that fixed. Kevin Sutherland noted that they have made a proposal on spam and he will make sure that it is formalized and resent to the Village. Trustee Saville also noted that there was a committee ordinance in place and that he thought the committee should be utilized. Mayor Herrmann responded that she is

waiting to have the committees restructured and that she would have hoped that the 3 members who voted against the committee ordinance had reviewed and brought back a revised ordinance for the Board to consider. Trustee Rabattini indicated she was concerned about the committee structure but now she understands it and believes things can move forward. Trustee Ponio indicated that he wants information from the state agency regarding Creative Playtime indicating what sort of certification the Village has received.

Trustee Mascillino asked that if any Trustees are available for the July 4<sup>th</sup> parade, that they will be near the front, and she also asked the Trustees to participate at the Village picnic.

Trustee Verciglio received a certificate from the Walk for Life on behalf of the Village and presented it to the Board. He then discussed the Prairie Woods access road issue. Attorney Puma indicated that he was receiving more information and that he would coordinate with the Public Works Director, Police and the Village engineer to provide more background information to the Village Board to consider this issue. Trustee Verciglio also passed out some information from the Lake County Municipal League for other Board members. Trustee Verciglio noted that Trustee Rabattini's blog indicated that she apologized for several errors to the readers and that he believed that the apology should be made at a public meeting. Trustee Rabattini indicated that she had apologized on her blog to the readers of the blog as those were the people which would have had the information. She also indicated that any information was corrected. Mayor Herrmann stated that she was concerned that if incorrect information was posted on a blog, that residents would pass it on incorrectly to other people so she asked Trustee Rabattini to make sure she understands issues and contacts the appropriate officials before things are posted. Trustee Rabattini indicated that sometimes people relay stories incorrectly as one person tells another person. She believes the blog is an excellent resource for Village residents and that if people see incorrect information that they can contact her to correct it.

Trustee Ponio indicated that he wants all communications to him in writing and that hard copies be placed in his mailbox at Village Hall and that he will not respond to e-mails any longer. Trustee Verciglio asked him how he will respond to things which are given to him in his mailbox and he indicated he did not know. Mayor Herrmann asked him why he can't just print the e-mail for himself and Trustee Ponio replied that he would not do that unless she would buy him ink and paper. He also raised an issue about where the MTBE lawsuit settlement money was as the Village needed to be accountable to the residents. Trustee Saville indicated that this money is to be used for the Water Department.

Trustee Rabattini asked about an Ancel Glink memo from the Lake County Municipal League seminar. Attorney Puma indicated he would see if he could locate the answers to the questions. She was also concerned with certain scams which people could fall victim to and it was discussed that this could be posted on the Village website or in the Village newsletter and will be discussed more in the future. Trustee Rabattini also indicated that she thought it would be helpful to have a WiFi network at Village Hall for Trustees and residents. Trustee Mascillino noted that there is a wired internet connection in the Boardroom. She also indicated that she has some information on grants which could be obtained. She also had questions about mosquito spraying for Southport Pond. Mayor Herrmann indicated that Public Works Director Kootstra would address these issues in his report. She also questioned the process for creating a new commission to increase community involvement. Mayor Herrmann advised she should bring this to the attention of the Board to move it forward. Trustee Rabattini also wanted to post important Village documents on the website, such as the budget and the ordinances, which are to be voted on before a meeting. Mayor Herrmann agreed that the Village should look into this at the time it posts its agenda. Trustee Rabattini offered to chair the police commission rather than the Mayor. Trustee Rabattini asked about the status of the business registration ordinance and Mayor Herrmann indicated that the Village is waiting for comments from the Chamber of Commerce and there is a draft ordinance. Trustee Rabattini also indicated she would like to open the bidding process to businesses such as repairs to the police vehicles. This would be to increase competition. The Mayor asked for clarification and indicated that the Village does its best to get the best price for work. The Mayor indicated she would discuss this further with the Police Chief and have the Chief contact Trustee Rabattini on this issue.

Trustee O'Malley indicated that she is working on Summerfest and Octoberfest. She asked how the Village Board obtains information from the Village and Mayor Herrmann indicated that she could come to the Village and talk to the department heads and ask for things. The Mayor indicated she was looking into a scanning system to better store and retrieve Village documents.

Mayor Herrmann indicated she met with Wauconda Township Supervisor Glen Swanson and the Village of Wauconda's mayor regarding the senior bus transport. She indicated that the contract would be in the same amount as last year and also that the agreement benefited residents in both counties as the bus would go to Nunda Township also.

Kevin Sutherland gave the Board an update on the stimulus grants the Village had applied for. He advised the Village's projects were received and processed by IEPA and he summarized the process including public hearing and comment requirements in order to obtain loans.

Willie Kootstra advised that no road repairs fit into the stimulus plan, but that the Village has submitted applications for \$1.9 million in funding for the repairs to the State of Illinois. Kevin Sutherland clarified the FAU routes and future maintenance requirements for the Board. Willie Kootstra advised that mosquito spraying was scheduled for the night of July 2 into July 3 and that they had budgeted for 4 applications. He also advised that the budgeted amount for the Southport Pond repairs, \$17,000.00, have been removed from this year's budget as they believe that the Public Works Department can do the repair in-house. He also advised that the Village had been pumping the pond down during regular business hours and that he was hopeful the work would start soon. He also provided an update on the CDBG program. He indicated that previously the Village had to choose which county to apply to but now he could apply to McHenry County also. He asked the Board if it wanted him to apply for infrastructure grants when last year McHenry County only approved 1 of 18. It was the consensus of the Board that he should move forward with the application to McHenry County also as it is possible the Village could receive a grant.

Motion by Trustee Mascillino, seconded by Trustee Rabattini to open the meeting to the floor. All Trustees voted in favor.

Nancy Wendling, 4635 South Hampton, Island Lake, advised the Board that she worked for a company which has information on obtaining stimulus money for infrastructure solutions relative to energy. She is a Johnson Controls employee. She volunteered to assist the Board at this point to obtain grants but that if the matter progressed she would have to get paid. She indicated she was working with Crystal Lake and Mundelein to obtain grants. She thought the grants could be used to upgrade the Village Hall and Police Department. Mayor Herrmann advised that either she would be in touch with Ms. Wendling or Village staff would be in touch with her.

Greg Katchka, 3221 Hyacinth Terrace, Island Lake, indicated that in the newsletter the Mayor indicated that services would not be cut back but that he thought other matters were being cut back. This was explained to Mr. Katchka so that he understood the difference between services and infrastructure. He also indicated that he had an issue over walking into the entrance way to Village Hall.

Shannon Fox, South Hampton, Island Lake, expressed concerns about agendas and materials being posted only 48 hours before a meeting as it does not give residents time to approach the Board. She also expressed concern that there was a lack of support for Creative Playtime and she wants the Board to support it so her daughter's class does not get canceled.

Joe Patack, 3203 Carriage Hill, Island Lake, indicated the Village should post information such as the agenda and that the Village needs a web master. He asked for a copy of the business registration ordinance and was advised to obtain it from Frank DeSort. He then talked about maintenance agreements and talked about himself for a while. Mayor Herrmann thanked him for his comments and indicated that the meeting was running late.

Bill Woodhouse gave the Board an update on the Teen Center and the event which occurred and events planned in July and August. He indicated the group was looking for space to have a permanent center.

Motion to bring the meeting back to the Board by Trustee Mascillino and seconded by Trustee Verciglio. All voted in favor.

As the meeting had continued past 10:00 p.m., Trustee Verciglio made a motion to extend the time of the meeting past 10:00 p.m. The Motion died for lack of a second.

The Board indicated that the discussion of Village Board policies would continue at the committee meeting in July.

Motion to adjourn by Trustee Mascillino, seconded by Trustee Verciglio. All voted in favor. The meeting adjourned at 10:13 p.m.

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Scott A. Puma, Village Attorney