



**THE VILLAGE OF HAWTHORN WOODS
SPECIAL VILLAGE BOARD MEETING
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
MAY 23, 2011
7:00 P.M.**

MINUTES

I. CALL TO ORDER AND ROLL CALL

Mayor Mancino called the meeting to order at 7:04 p.m. Roll call indicated the following members were present: Mayor Mancino, Trustees Ponzio, Morgan, Corrigan and David. Absent were Trustees Riess and DiMaggio.

Also present were Chief Operating Officer Pamela Newton, Chief Administrative Officer and Village Clerk Donna Lobaito, Chief Financial Officer Kristin Kazenas, Chief of Police Jennifer Paulus, Intern David Fitzgerald and Village Attorney Daniel Shapiro.

II. PLEDGE OF ALLEGIANCE

III. OATH OF OFFICE

- A. Swearing in of Trustees: Steve Riess, Peter Ponzio, Dominick DiMaggio, and Michael David

Village Clerk Donna Lobaito administered the Oath of Office to Trustees David and Ponzio. Mayor Mancino stated that Trustee DiMaggio would be arriving later and would be sworn in at that time.

IV. PRESENTATION OF ANNUAL AUDIT

- A. Presentation of Comprehensive Annual Financial Report as of Dec. 31, 2010 – Brian LeFevre, Sikich

Brian LeFevre of Sikich thanked the Board for the opportunity to conduct the annual audit for the Village. He noted that the Finance Committee has reviewed the audit information as well. Mr. LeFevre noted that the Village received the GFOA award for outstanding financial reporting for FY09, which is the highest level of award for financial reporting. He also noted that Sikich has issued an unqualified opinion for the FY10 audit. The Executive Summary has been prepared by the Village to explain our financial statement. Mr. LeFevre noted that the audit went very well and has been completed and presented in accordance with the original timeline.

Trustee Ponzio thanked Mr. LeFevre and Ms. Kazenas for their work on the audit. Ms. Newton noted that at Sikich's request last year, a second person has been added to the Finance Department. There were no questions for Mr. LeFevre.

V. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None this month.

VI. PUBLIC HEARING

- A. Continuation of Public Hearing on Annexation Agreement with Nate Wynsma for 24145 Milton Road

Motion by Corrigan, second by Ponzio to continue the public hearing to June 20, 2011.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, David

Nays: None

Abstentions: None

Absent: Riess, DiMaggio

Motion carried.

VII. NEW BUSINESS

- A. Consent Agenda

1. Approval of the Minutes from the April 18, 2011 Board Meeting
2. Approval of Bill List Dated May 2011
3. Approval of Paid Invoice List Dated May 2011
4. Approval of a Resolution Authorizing a Gasoline Usage Agreement with the Village of Lake Zurich
5. Approval of a Resolution – Public Works Week Proclamation
6. Approval of a Resolution Authorizing a Traffic Light Agreement with the Lake County Department of Transportation
7. Approval of a Resolution Authorizing the Execution of a Contract with Complete Cabling Solutions, Inc.
This contract is for replacing and upgrading cabling in Village Hall, the Police Department, and Public Works building.
8. Acceptance of the Comprehensive Annual Financial Report as of Dec. 31, 2010
9. Approval of a Resolution Authorizing the Execution of a Contract with Dustbusters
This contract is for Village Hall and Police Department cleaning services.
10. Approval of a Resolution Authorizing a Lease Agreement with Northshore Business Technology
This lease agreement is for a copy machine for the Administration Department.
11. Approval of a Resolution Authorizing the Execution of an Agreement with Family Service

Items 1, 6, 9 and 11 were removed from the Consent Agenda.

Motion by Morgan, second by Ponzio to approve the Consent Agenda with the exception of items 1, 6, 9 and 11.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, David

Nays: None

Abstentions: None

Absent: Riess, DiMaggio

Motion carried.

Motion by Ponzio, second by David to approve item #1 of the Consent Agenda.

Trustee Corrigan stated she was going to abstain since she was not in attendance at last month's meeting.

Roll call vote.

Ayes: Ponzio, Morgan, David

Nays: None

Abstentions: Corrigan

Absent: Riess, DiMaggio

Motion carried.

Motion by Morgan, second by Corrigan to approve item #6 of the Consent Agenda.

Trustee Corrigan had questions as to which lights this agreement pertained to. Ms. Newton responded that the County is consolidating their traffic signal agreements by bringing all communities into one agreement, and that there is no additional cost to the Village.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, David

Nays: None

Abstentions: None

Absent: Riess, DiMaggio

Motion carried.

Motion by Corrigan, second by Ponzio to approve item #9 of the Consent Agenda.

Trustee Ponzio commented that this agreement should be approved contingent upon Dustbusters providing proof of Workers Compensation insurance.

Motion by Corrigan, second by Morgan to amend the original motion to include proof of Workers Compensation insurance.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, David

Nays: None

Abstentions: None

Absent: Riess, DiMaggio

Motion carried.

Motion by David, second by Corrigan to approve the agreement with Dustbusters contingent upon proof of Workers Compensation insurance being provided.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, David

Nays: None

Abstentions: None

Absent: Riess, DiMaggio

Motion carried.

Motion by Corrigan, second by David to approve item #11 of the Consent Agenda.

The Board members asked for clarification on this program. Staff commented that this is the Employee Assistance Program and that the only cost to the Village is at the time services are administered with an annual cap of \$4,500. Ms. Kazenas commented that no money has been spent on this program in the last two years. She also noted our Blue Cross Blue Shield insurance does not include an EAP program, and that our premium would be too expensive based on our two year history.

Trustee DiMaggio arrived at 7:35 p.m.

At this time Mayor Mancino took a break from the meeting in order to have Trustee DiMaggio sworn in. Village Clerk Lobaito administered the Oath of Office to Trustee DiMaggio.

Roll call vote on the agreement with Family Services.

Ayes: Ponzio, Morgan, Corrigan, David

Nays: None

Abstentions: DiMaggio

Absent: Riess

Motion carried.

B. Items for Separate Action

1. Approval of a Resolution Authorizing the Enactment of a Canadian National Noise Mitigation Program

Motion by Ponzio, second by DiMaggio to approve a Resolution Authorizing the Enactment of a Canadian National Noise Mitigation Program.

Trustee Corrigan asked if comments from some of the residents about a graduated distribution of funds were considered. Mayor Mancino stated that the Village received only a few emails in this regards, but the fact remains that every resident who has been contacted about the program falls within the 65 dBA range. Ms. Newton made two points of clarification. The first pertained to the fact that reimbursement to the residents will be made 30 days from approval of the reimbursement by the Village Board. The second point of clarification is that since the Village does not charge for a landscaping permit, it will be necessary for verification of landscaping compliance as a part of this program, and as a result, a \$40 inspection fee will be charged if landscaping is installed.

Trustee David asked why Hawthorn Woods is varying from how other communities are distributing their funds. Ms. Newton stated that our situation does not fit exactly with what other communities are doing. For example, Long Grove is distributing their funds to the homeowner associations, but in Hawthorn Woods, some of our participants do not have a homeowners association. Some communities are allowing the residents to vote which pitches neighbor against neighbor. She said that we modeled our program after Warrenville's because their method of distribution seemed to best fit with our community.

Trustee Morgan noted that the program runs from June 1, 2011 through May 31, 2013. He asked if any accommodation would be made for people who made improvements prior to June 1st. Ms. Newton commented that this question was raised at the resident informational meeting and the answer provided was that the money is not theirs to spend in anticipation of the program, therefore, no reimbursement will be made for improvements that were made prior to June 1, 2011. Mr. Fitzgerald said that some residents have asked to begin the program already and have been told by staff they needed to wait until June 1, 2011.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio

Nays: None

Abstentions: David

Absent: Riess

Motion carried.

2. Approval of a Resolution Authorizing a Bulk Water Agreement with Forest Lake

Mayor Mancino noted that this item was tabled from last month. He stated that staff spoke to Lake County today and got further direction to proceed with the vote tonight. Mayor Mancino asked for a motion to approve this resolution contingent upon execution by the Lake County Chairperson.

Motion by Ponzio, second by David to approve a Resolution Authorizing a Bulk Water Agreement with Forest Lake contingent upon execution by the Lake County Chairperson.

Mayor Mancino stated that Aqua Illinois applied for a rate increase with the ICC in April unbeknownst to the Village and Lake County as this agreement was being negotiated with Aqua Illinois. He noted that this rate increase would affect many residents within Hawthorn Woods as well as the Forest Lake residents. He said the ICC has still not posted the filing on their website, but that the County received a copy and are reviewing it now. He stated that the County asked Hawthorn Woods to pass this resolution contingent upon their Chairperson signing. Mayor Mancino said we will have the opportunity to weigh in on the rate increase and we will oppose it. He said there is a bill in the House and Senate regarding private water systems and he has spoken to Senator Duffy and Representative O'Sullivan about this issue.

Trustee Corrigan stated that the Glennshire residents received a letter from Lake County about the proposed rate increase. She said that since she is a resident of Glennshire she will abstain from voting on this issue.

Trustee Morgan clarified that this agreement only pertains to a portion of Forest Lake, specifically 71 homes. Ms. Newton noted that the Forest Lake system will need a distribution system and will be subject to the Kemper recapture agreement. She said if we hold up the vote this will be harmful to the Forest Lake residents because they have been cited by the IEPA and are in need of clean water. Trustee Morgan asked if this will affect the water capacity and our ability to develop our town. Ms. Newton responded no.

Roll call vote.

Ayes: Ponzio, Morgan, DiMaggio, David

Nays: None

Abstentions: Corrigan

Absent: Riess

Motion carried.

3. Consideration of Extending Burning through May 31, as Allowed in Village Code

Motion by David, second by DiMaggio to extend burning through May 31st, as allowed in the Village Code.

Mayor Mancino noted that due to the extensive rain this spring, staff has received calls to extend burning to the end of the month, which is allowed in the Village Code. Trustee Morgan noted that this extension would still pertain to only Wednesday and Saturday.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David

Nays: None

Abstentions: None

Absent: Riess

Motion carried.

4. Consideration of Hawthorn Trails Site Amendment

Mayor Mancino stated he is seeking a motion to direct staff to administratively adjust the plat of Hawthorn Trails to allow for the removal and relocation of a sidewalk in this subdivision.

Motion by David, second by Morgan to authorize staff to administratively adjust the plat to allow for the removal and relocation of a sidewalk in the Hawthorn Trails subdivision.

Ms. Newton noted that the Village assumed the final plat which was approved by the County and included the subject sidewalk. She said the County mandated the connection between Forest Lake and the Dartmoor property, but that this is something Hawthorn Woods does not mandate. She said staff has received numerous trespassing and vandalism complaints as a result of this sidewalk. As a result of the complaints, a temporary fence has been installed. The Village has also been in communications with the school district, with the latest letter from the school district indicating that they were okay with the removal of the fence as long as the easement remains. Ms. Newton noted that a sidewalk will be constructed in 2013 by Dartmoor Homes along Quentin Road connecting the two subdivisions. She said the Village has received a signed petition by all homeowners in Hawthorn Trails with the exception of one to remove the sidewalk. Kildeer also abuts parts of Forest Lake and has fencing with barbed wire between their developments. Ms. Newton noted that Dartmoor Homes will be paying for the removal of the sidewalk.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David

Nays: None

Abstentions: None

Absent: Riess

Motion carried.

Trustee David asked whether construction material could be stored on vacant lots. He also commented on the condition of silt fencing. He said the vacant lot across the street from his home is being used as a staging area. Ms. Lobaito stated she would have to check the annexation agreement to see if there were any provisions for the storage of construction material on a lot for use elsewhere. She also said she would look into the silt fencing in the country club.

VIII. ADMINISTRATION REPORTS

- A. Report from the Chief Operating Officer – Pam Newton
 - 1. Monthly Update – Village Operations
 - a. Grant Update

Ms. Newton first noted that our Intern, David Fitzgerald, had been named Intern of the Year at Northern Illinois University. She stated that David has been applying to many grants and that it appears that we will be receiving a large grant for municipal landscaping, which is good since it appears that Emerald Ash Borer has been discovered in the Village. Confirmation from the Department of Agriculture is pending. She said that not too many municipal trees will be affected and that most are on private property with the concentration in the White Birch Lakes area.

2. Economic Development
3. Parks and Recreation
 - a. Aquatic Center Opening Schedule

Ms. Newton noted that the Aquatic Center will be opening Memorial Day weekend.

- b. Emerald Ash Borer Discovery

See minutes above.

B. Reports from Department Heads

1. Director of Building Department/Chief Administrative Officer – Donna Lobaito
 - a. Department Report

Ms. Lobaito reported on the monthly FOIA requests and noted that both she and Ms. Hansen had successfully completed the required online annual FOIA certification program. Ms. Lobaito also stated that second notices for vehicle stickers and dog tags had been mailed. Lastly, she mentioned that Building Inspector Karl Gewalt had been working with Dan Thake, Code Enforcement Officer, on the training of conducting certain building inspections to help with the workload.

- b. Approval of a Resolution Authorizing an Agreement with the Office of the State Fire Marshal – Illinois Elevator Safety

Ms. Lobaito stated this agreement would confirm that the Village is the operator of the Illinois Elevator Safety program, and that it goes hand in hand with the next resolution.

Roll call vote.

| | |
|--------------|---|
| Ayes: | Ponzio, Morgan, Corrigan, DiMaggio, David |
| Nays: | None |
| Abstentions: | None |
| Absent: | Riess |

Motion carried.

- c. Approval of a Resolution Authorizing the Execution of a Contract with Thompson Elevator Inspection Service

Ms. Lobaito stated that this agreement would provide for Thompson Elevator to serve as the Village's elevator inspector.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David
Nays: None
Abstentions: None
Absent: Riess

Motion carried.

- d. \$250,000 Road Bond Letter of Credit Converted to a Surety Bond

Motion by Corrigan, second by Ponzio authorizing staff to release the \$250,000 road bond Letter of Credit with Toll Brothers upon acceptance of a \$250,000 surety bond.

Ms. Lobaito explained that in 2003, the annexation agreement the Village has with Toll Brothers provided for a \$250,000 Letter of Credit in lieu of individual \$6,000 road bonds for every new home permit. She stated that Toll Brothers has requested that this Letter of Credit be converted to a surety bond. Ms. Lobaito reviewed the request with the Village Attorney and he has provided a positive recommendation on this conversion. Ms. Lobaito noted that the Letter of Credit would not be released until a surety bond that has been reviewed and approved by the Village Attorney has been secured.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David
Nays: None
Abstentions: None
Absent: Riess

Motion carried.

- e. Subdivision Improvement Letter of Credit Reduction and Bond Surety

Motion by Corrigan, second by Morgan to authorize staff to release the \$1,124,561.25 subdivision improvement Letter of Credit upon acceptance of a \$500,000 Letter of Credit and a \$624,561.25 surety bond.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David

Nays: None
Abstentions: None
Absent: Riess
Motion carried.

2. Chief Financial Officer – Kristin Kazenas
 - a. Department Report

Ms. Kazenas stated her report was in the packet. She thanked staff members and certain Trustees for their assistance with the audit. She said she will start focusing on the budget in one month. She noted that the Village received a grant for AED's and all staff members will be receiving training in this regard along with CPR and first aid training. She also stated that she is still waiting for all invoices to be submitted regarding the golf outing and will be reporting to the Board in the near future.

3. Chief of Police – Jennifer Paulus
 - a. Department Report

Chief Paulus reported that the Bike Rodeo was this coming Saturday. She said donations are down this year, but she still anticipated a great turnout for the event. She invited all CERT members to attend as well.

4. Director of Public Works – Jim Maiworm
 - a. Department Report

It was noted that Mr. Maiworm's report was in the packet and that he was on vacation at this time.

- b. Approval of a Resolution Authorizing the Acceptance of an Illinois Emergency Management Agency Public Assistance Grant

Motion by Corrigan, second by DiMaggio approving a Resolution Authorizing the Acceptance of an Illinois Emergency Agency Public Assistance Grant.

Mayor Mancino noted that this would be a reimbursement for the February 2, 2011 blizzard and that the anticipated reimbursement would be approximately \$45,000.

Roll call vote.
Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David
Nays: None
Abstentions: None
Absent: Riess
Motion carried.

c. Emergency Street and Grates Repair – The Summit Subdivision

Mayor Mancino stated that the need to repair some grates at the Summit subdivision recently came to his attention. He said the grates are at the Forest View and Kruckenberg intersection and that they are caved in and falling apart. He said the cost of the repairs is not yet known for either a short-term or permanent fix, so tonight he was seeking approval of the Village Board to authorize Chief Operating Officer Newton to expend up to \$15,000 for emergency repairs.

Motion by DiMaggio, second by David to authorize Chief Operating Officer Newton to expend up to \$15,000 for emergency repairs to the grates at Forest View and Kruckenberg Roads. Ms. Kazenas noted that MFT money could be used, but we were still waiting on the cost of repairs.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David

Nays: None

Abstentions: None

Absent: Riess

Motion carried.

d. Update on Dandelion Control Program

Ms. Newton commented that staff is aware of the dandelion problem on Village property and noted that in the past there had never been a dandelion control program. She met with the Public Works parks crew and will establish a program moving forward, but noted it will take several years to get control of the dandelions.

IX. OLD BUSINESS

None this month.

X. MAYORS REPORT AND COMMITTEE REPORTS

A. Mayors Report -----Joseph Mancino, Mayor

1. Appointment of Lisa Murphy to Parks and Recreation Committee

Motion by DiMaggio, second by Ponzio to appoint Lisa Murphy to the Parks and Recreation Committee.

Voice vote.

Ayes: 5

Nays: 0
Abstention: 0
Absent: 1
Motion carried.

2. Appointment of John Kosik to Chair of Zoning Board of Appeals

Motion by Corrigan, second by DiMaggio to appoint John Kosik as Chairperson of the Zoning Board of Appeals.

Voice Vote.
Ayes: 5
Nays: 0
Abstention: 0
Absent: 1
Motion carried.

- B. Public Safety and Judicial ----- Vacant, Chair
Neil Morgan, Trustee Liaison
No report this month.
- C. Parks and Recreation ----- Vacant, Chair
Vacant, Trustee Liaison
No report this month.
- D. Environmental Committee ----- John Bickley, Chair
Steve Riess, Trustee Liaison
No report this month.
- E. Zoning Board of Appeals ----- Vacant, Chair
Dominick DiMaggio, Trustee Liaison
No report this month.
- F. Planning, Building and Zoning Commission ----- Susy Rein, Chair
Dominick DiMaggio, Trustee Liaison

- 1. Approval of an Ordinance for Annexation of Sunrise Tree Care, 110 Midlothian Road
- 2. Approval of an Ordinance for Zoning of Sunrise Tree Care, 110 Midlothian Road

Ms. Susy Rein, Chairperson of the Planning, Building and Zoning Commission presented the two action items regarding an application request by Sunrise Tree Care to annex .3 acres of land to the Village with an AB Agricultural Business zoning. Ms. Rein stated that the Commission requested that wording be added to the ordinance that compliance with the AB zoning district is encouraged. Ms. Lobaito confirmed that the language had been added as requested.

Motion by Corrigan, second by Ponzio to approve an Ordinance for Annexation of Sunrise Tree Care, 110 Midlothian Road - .3 acres. There was discussion about a Special Use Permit that was issued many years ago to the former property owner, Mr. Seno, that ran with the land, and whether this SUP applied to only the larger parcel and not the parcel in question. Trustee Ponzio expressed concern of an infestation problem being brought to Hawthorn Woods. Trustee Ponzio also asked that the approval of the annexation and zoning should be contingent upon Mr. McGuinn providing a grading plan that is approved by the Village Engineer. Village Attorney Shapiro suggested delaying the annexation at this time to draft an annexation agreement to cover all concerns. Ms. Newton noted that presently, the sign at 110 Midlothian Road is not in the Village's corporate limits.

Motion by Corrigan, second by Ponzio to withdraw the previous motion to approve the ordinance annexing the property.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David
Nays: None
Abstentions: None
Absent: Riess
Motion carried.

Motion by Ponzio, second by Corrigan to table the ordinance annexing the property to the June 20, 2011 Village Board meeting.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David
Nays: None
Abstentions: None
Absent: Riess
Motion carried.

Motion by Corrigan, second by David to table the ordinance zoning the property to the June 20, 2011 Village Board meeting.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David
Nays: None
Abstentions: None
Absent: Riess
Motion carried.

Ms. Rein stated that the Commission continues to review the Architectural Overlay District ordinance, and is presently working on the signage section of this ordinance. As a part of the public hearing on the Architectural Overlay District ordinance, the

Commission will also review the sign section of the Zoning Code for contiguity. She encouraged the Village Board member to attend the next meeting, or to forward their comments on to the Commission for consideration.

Trustee Corrigan asked for an update on the Shell gas station remodeling project. Mayor Mancino commented that corporate is reviewing the canopy request made by the Village in that this is a custom awning. He said that the station owner, Mr. Alani is in contact with the corporate offices on a regular basis to complete this project and is hoping to receive a completion date by the end of May.

- G. Finance Committee -----Peter Ponzio, Chair
Kelly Corrigan, Trustee Liaison

Trustee Ponzio stated that the Committee has accepted the resignation of Mr. Steve Weinstein. He also reported that the March and April financial statements will be presented to the Board next month.

- H. Public Works Committee -----John Harchut, Chair
Trustee Liaison, Vacant

No report this month.

XI. EXECUTIVE SESSION

- A. Approval of Executive Session Minutes
- B. Discussion of Personnel and Possible or Pending Litigation

Motion by Corrigan, second by DiMaggio to enter into Executive Session to discuss Executive Session minutes, personnel issues and probable or pending litigation. Mayor Mancino stated no business would be conducted after Executive Session.

Roll call vote.

Ayes: Ponzio, Morgan, Corrigan, DiMaggio, David

Nays: None

Abstentions: None

Absent: Riess

Motion carried.

The Board moved into Executive Session at 9:28 p.m.

XII. ADJOURNMENT

The regular meeting reconvened at 11:28 p.m. Motion by David, second by Corrigan to adjourn the regular meeting. Upon a voice vote, the motion carried and the meeting adjourned at 11:28 p.m.

Respectfully submitted,

Donna Lobaito
Village Clerk