



**THE VILLAGE OF HAWTHORN WOODS
VILLAGE BOARD MEETING
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
MARCH 19, 2012
7:00 P.M.**

MINUTES

I. CALL TO ORDER AND ROLL CALL

Mayor Mancino called the meeting to order at 7:07 p.m. Roll call indicated the following members were present: Mayor Mancino, Trustees Riess, Morgan, Corrigan and DiMaggio. Absent were Trustees Ponzio and David.

Also present were Chief Operating Officer Pamela Newton, Chief Administrative Officer and Village Clerk Donna Lobaito, Chief of Police Jennifer Paulus, Public Works Director/Village Engineer Erika Frable, Webmaster/Management Analyst David Fitzgerald and Village Attorney Patrick Brankin.

II. PLEDGE OF ALLEGIANCE

Mayor Mancino asked the Board for a motion to move the Mayor's Report up on the agenda for purposes of addressing the appointment to the Board of Police Commission.

Motion by Corrigan, second by DiMaggio to address the Mayor's Report at this time.

Roll call vote.

Ayes: Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: Ponzio and David

Motion carried.

Mayor Mancino introduced John Malcolm to the Board. Mr. Malcolm indicated he has been a resident of Hawthorn Woods for 24 years, is in the fire service, and is happy to serve the community in the capacity of the Board of Police Commission. Mayor Mancino noted Mr. Malcolm is the Fire Chief in Mt. Prospect.

Motion by Corrigan, second to Riess to approve the appointment of John Malcolm to the Board of Police Commission.

Roll call vote.

Ayes: Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: Ponzio and David
Motion carried.

Mayor Mancino administered the oath of office.

III. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

There was no public comment.

IV. SPECIAL RECOGNITION

A. Approval of a Resolution Honoring Eagle Scout Awardee Scott Fredricks

Mr. Fredricks presented to the Board his walking path service project he conducted at Save-A-Pet in Grayslake. He said that bricks are engraved as a remembrance. He is a senior at Stevenson High School and is planning on attending Marquette University in the fall. He said the project took 60 hours of planning and 150 hours of labor to complete.

Ms. Lobaito read the resolution honoring Mr. Fredricks into the record.

Motion by Riess, second by DiMaggio to approve a Resolution Honoring Eagle Scout Awardee Scott Fredricks.

Roll call vote.

Ayes: Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: Ponzio and David

Motion carried.

V. SPECIAL PRESENTATION – TONY WRIGHT OF AQUA ILLINOIS ON RESULTS OF RATE INCREASE REQUEST

Mr. Wright of Aqua Illinois presented to the Board information on the results of the rate increase request that was before the ICC. He noted the last request was in 2008, and approximately \$722,000 in improvements has been made to the system. He noted that the final rate award came in on February 17, 2012 with water increasing by 89.7% and sewer increasing by 69.1%. He indicated a letter to their customers regarding the rate award would be mailed shortly.

Mr. Wright noted that the rates for the various water systems in Illinois were combined. He also reviewed fire protection charges.

He noted that in Glennshire, the water rate increase amounted to 59.2%. He reviewed the annual rate figures that are noted in the resale agreement, and commented that the agreement does allow for increases being applied to these rates.

Mr. Wright reviewed the water plant fund which he indicated was for future upgrades. The Board questioned whether this fund is restricted. Mr. Wright stated he would provide the Village with the details on what the money can be used for. Trustee Corrigan asked if this fund would help offset future increases. She expressed dissatisfaction with the fact that our new system has now been blended with other systems when determining Aqua Illinois' funding needs. She stated she does not want to see Hawthorn Woods residents pay for improvements in the future when we have a new system.

Mayor Mancino stated that our residents paid for our system and will now be paying for other upgrades elsewhere. He said he will lobby to change the law, due to the fact that the law and the ICC are stacked against us. He also indicated how dissatisfied he was with the lack of notice the Village received about the pending ICC application. He also questioned why Aqua Illinois asked for a potential 3% franchise fee in their rate request, when this was something that was never discussed with the Village. He told Mr. Wright that he received numerous calls regarding that request.

Mr. Wright stated that if Aqua Illinois went for a separate rate increase just for Hawthorn Woods, the results would have been higher increases than what was awarded by the ICC. Mayor Mancino expressed frustration in the service the community has received from Aqua Illinois. He stated that he received calls from the fire districts complaining that they cannot get the caps on some of the fire hydrants off. Mr. Wright stated that the 89% increase in water is because the Hawthorn Woods Country Club is not yet built out. Mayor Mancino asked whether there will be a rate reduction once the country club is built out. Mr. Wright noted that they are at half their revenues in Hawthorn Woods than what was projected. He noted that the actual cost to produce the water is the basis for most of the increase.

Trustee Morgan asked if once the country club is built out, will there be a rate decrease. Mr. Wright indicated no because the forecasts for construction are now behind schedule.

Mayor Mancino noted that the residents will be hesitant in believing this information from Aqua Illinois because money is going to Kankakee and elsewhere to fund their systems. He noted that the residents want to know if their system is being maintained. Mayor Mancino asked how Aqua Illinois could negotiate rates in their agreements, then not stand behind them. Mr. Wright stated the agreements indicate they can be amended from time to time.

Trustee Corrigan noted that Aqua Illinois has received 125% in rate increases in three years. She stated this is not how to develop relationships. She questioned why Aqua Illinois made \$722,000 in improvements to our system if the Hawthorn Woods Country Club is not built out. Mr. Wright stated there is over-usage of water in the country club with residents watering their lawns. He said they have put up signs in the past to conserve water.

Trustee Ponzio arrived at 8:10 p.m.

Mayor Mancino asked if part of the increase includes the 3% franchise fee that was never discussed with the Village. Mr. Wright said he did not know, but will find out. Mayor Mancino stated this caused a lot of concern for the Board and for many residents and if this is being collected now, he wants it refunded back to the residents.

Mr. Wright indicated that he believes the next increase will be less than double digits, because there will be less demand on the water now due to the recent increase. He stated that in 2009, an increase of 111% increase was warranted in Hawthorn Woods, but Aqua Illinois only requested 35%. Trustee Morgan suggested that Aqua Illinois should have had a contingency plan for operations so that we do not have such large increases.

Mr. Wright stated that Aqua Illinois has the responsibility to ensure water is there for the customers, and the ICC has the responsibility to ensure that Aqua Illinois has that ability. He said they have a good relationship with regulating bodies such as the Lake County Health Department.

Trustee Ponzio stated that if the Village owned the water system, the Village would have figured out some way to get water to the residents without a 90% increase.

Ms. Newton stated that the cure to all this is that the Village has choices, and that we can look to Lake County or other community wells for our water service. She stated Aqua Illinois should be careful not to price themselves right out of Hawthorn Woods. She asked Mr. Wright if Aqua Illinois is now able to extend services in the northern planning area. Mr. Wright indicated there is plenty of capacity, but that the trigger to construct the services is one parcel, so when that parcel is ready to develop, they will be ready to construct sewer and water. He noted that in recent months, Aqua Illinois has completed about 1/3 of the water main along Rt. 176 from the Ivanhoe Country Club towards Gilmer Road.

Ms. Lobaito indicated there is limited capacity at the Ivanhoe plant. Mr. Wright agreed, and said that some of that area would be best served through the country club.

Trustee Ponzio asked for a guarantee this will not happen again. This was something Mr. Wright said they could not agree to. Trustee Ponzio suggested we look for alternatives.

Trustee DiMaggio asked about the timeframe for negotiating rates with the Village compared to when they went to the ICC, noting that just one day after finalizing the agreement with the County for the Forest Lake system, Aqua applied for a rate increase with the ICC. Mr. Wright stated they never guaranteed a rate for the Forest Lake system, but always said they would pay the current rate.

Mr. Wright will email his presentation tonight to Ms. Newton.

Trustee Corrigan asked for clarification on how the capital expenditure money was spent. Specifically, she wanted to know if Aqua Illinois utilized that money before requesting a rate increase. Mr. Wright said he would get that information for the Board.

Trustee Ponzio stated that one has to look at the life of a project to recoup the investment, and that an 89% increase for a few years was unjustified.

Mayor Mancino ended the discussion by stating again that he hoped Aqua Illinois would communicate better with the Village and its residents.

Mayor Mancino asked to move the Hartman items up on the agenda. Motion by Ponzio, second by DiMaggio to address the Hartman ordinances at this time.

Roll call vote.

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

Motion carried.

1. Approval of an Ordinance Granting Final Plat Approval and Granting Final Engineering Plan Approval – Hartman Subdivision – Approximately 6.05 Acres Located at 24838 Old McHenry Road

Motion by DiMaggio, second by Ponzio to approve an Ordinance Granting Final Plat Approval and Granting Final Engineering Plan Approval – Hartman Subdivision – Approximately 6.05 Acres Located at 24838 Old McHenry Road, subject to all signatures being obtained on the plat.

Roll call vote.

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

Motion carried.

2. Approval of an Ordinance Granting a Certain Variation – Hartman Subdivision – Approximately 6.05 Acres Located at 24838 Old McHenry Road

Motion by Riess, second by DiMaggio to approve an Ordinance Granting a Certain Variation – Hartman Subdivision – Approximately 6.05 Acres Located at 24838 Old McHenry Road.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

3. Approval of an Ordinance Granting a Special Use Permit – Hartman Subdivision – Approximately 6.05 Acres Located at 24838 Old McHenry Road

Motion by Ponzio, second by DiMaggio to approve an Ordinance Granting a Special Use Permit – Hartman Subdivision – Approximately 6.05 Acres Located at 24838 Old McHenry Road.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

VI. PUBLIC HEARING

- A. A Public Hearing for the Annexation Agreement for Fisher Burton, 27250 N. Gilmer Road

Motion by Riess, second by Corrigan to continue the public hearing for Fisher Burton until the April 16, 2012 Village Board meeting.

Ms. Newton noted that Fisher Burton has been very busy with their business, and we are still awaiting a final annexation agreement document.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

VII. NEW BUSINESS

- A. Consent Agenda

1. Approval of the Minutes from the February 21, 2012 Village Board Meeting
2. Approval of Paid Invoice List Dated March 2012
3. Approval of Bills List Dated March 2012

4. Approval of a Resolution Supporting the Village's Application for the Illinois "IKE" Disaster Recovery Program Planning Program Grant
5. Approval of an Ordinance Authorizing the Execution of a Field Lease Agreement – Windy City Lacrosse Selects Club
6. Approval of an Ordinance Authorizing the Execution of a Field Lease Agreement – Hawthorn Woods Elite Soccer Club
7. Approval of an Ordinance Authorizing the Execution of an Agreement – Lacrosse America Excel Lacrosse Camp

Items #4, #5 and #7 were removed from the Consent Agenda at the request of Village Board members.

Motion by Corrigan, second by Ponzio to approve the Consent Agenda with the exception of items #4, #5, and #7.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

Motion by DiMaggio, second by David to approve Consent Agenda item #4 – Approval of a Resolution Supporting the Village's Application for the Illinois "IKE" Disaster Recovery Program Planning Program Grant.

Mr. Fitzgerald noted that this is a grant through the State, but it is federally funded. He indicated it relates to flooding and addresses disaster preparedness and funding for Comprehensive Plan updates. He said he has been working with Christopher B. Burke Engineering, Ltd. and Rolf Campbell preparing for this application. He noted that Lake County was the only collar county to be declared a disaster in 2008. He estimated the grant award to be somewhere between \$70,000 and \$100,000, if received.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

Motion by Ponzio, second by Morgan to remove Consent Agenda item #5 from the agenda – Approval of an Ordinance Authorizing the Execution of a Field Lease Agreement – Windy City Lacrosse Selects Club.

Ms. Newton noted Windy City Lacrosse Selects withdrew their interest in utilizing Brierwoods and Bridlewoods Parks due to the field conditions. She noted the Village will focus on bringing those fields up to par. She said they may use Heritage Oaks Park.

Trustee Morgan asked about the condition of all our parks. Ms. Newton stated that for normal play, our fields are in playable condition; it was that Windy City Lacrosse is an elite team, and our fields did not meet their standards.

Roll call vote.

Ayes: Riess, Ponzio, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

Motion by Corrigan, second by DiMaggio to Approve Consent Agenda #7 - Approval of an Ordinance Authorizing the Execution of an Agreement – Lacrosse America Excel Lacrosse Camp.

Morgan asked that the Village be named as additional insured.

Motion by Morgan, second by DiMaggio to approve the Ordinance Authorizing the Execution of an Agreement – Lacrosse America Excel Lacrosse Camp, subject to the Village being named as an additional insured.

Roll call vote.

Ayes: Riess, Ponzio, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

B. Items for Separate Action

1. Approval of a Resolution Authorizing Participation in State Consortium Bidding for Salt Contract – Option 1

Motion by Corrigan, second by Morgan to reconsider the approval of a Resolution Authorizing Participation in State Consortium Bidding for Salt Contract – Option 1.

Trustee Corrigan noted that it was actually Option 2 that should be approved.

Motion by Corrigan, second by Riess to not approve Option 1 as listed on the agenda, but to approve Option 2 as stated in Ms. Frable's memorandum.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

VIII. OLD BUSINESS

None this month.

IX. ADMINISTRATION REPORTS

A. Report from the Chief Operating Officer Pam Newton

1. Monthly Update – Village Operations

Ms. Newton noted that she and Ms. Frable attended a meeting recently regarding the flooding behind St. John Drive. She said the flooding has been traced to the Cobblestone subdivision in Long Grove. The school district off Gilmer Road is now rodding their pipes in hopes of alleviating this problem.

Ms. Newton reported that she, Ms. Lobaito, Mr. Thake and Mr. Olson of Christopher B. Burke Engineering, Ltd. conducted a site visit at the McGuinn property as a result of illegal dumping. Property maintenance items were noted as well as run-off from un-stabilized land. Also in attendance at that visit were representatives from the Lake County Health Department, the Illinois Environmental Protection Agency and OSHA.

Ms. Newton stated that she and Ms. Lobaito have met with the new builder in the Hawthorn Trails subdivision, and that they will be meeting soon with representatives of Toll Brothers regarding construction operations.

2. Economic Development Department Report

Ms. Newton updated the Board in the area of economic development.

3. Parks and Recreation Department Report

Ms. Newton mentioned the Aquatic Center staff met recently regarding the opening of the facility this season. She said there will be new users to the pool this year.

B. Report from the Village Attorney

Village Attorney Brankin reminded Board members to complete their online Open Meetings Act training and forward the certificates of completion to Ms. Lobaito. Mr. Brankin discussed the McGuinn situation and noted staff is working hard to bring compliance. He also noted that he was at all the hearings for the Hartman subdivision, and that Mr. Hartman has agreed to all conditions in the ordinances which were passed earlier this evening. Lastly, Mr. Brankin reported that he is presently reviewing both the sign and Architectural Overlay ordinances.

C. Reports from Department Heads

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

Ms. Lobaito stated her report is in the packet.

2. Chief Financial Officer/Human Resources Director– Kristin Kazenas

- a. Finance Department Report

Ms. Kazenas was absent from tonight's meeting. Her report is in the packet. Mayor Mancino noted that the audit has been completed.

- b. Human Resource Department Report

- c. Risk Management Department Report

3. Chief of Police – Jennifer Paulus

- a. Police Department Report

Chief Paulus stated her report was in the packet. Chief Paulus read a letter regarding CERT. She noted that she attended at no cost, training in Virginia for the National Center for Missing and Exploited Children. Chief Paulus reported that the Hummer will be ready in a few weeks, and that many agencies have put time into the restoration of this vehicle. It will not be used for patrolling, but rather for show events, flooding and other unique circumstances.

4. Public Works Director/Village Engineer – Erika Frable, PE

- a. Public Works Department Report

Ms. Frable noted her report was in the packet. She reported that the south bridge on Darlington was closed today for maintenance and is scheduled to reopen Wednesday. She has received positive feedback from many residents. She also reported that the Village was notified about a bio-packaging permit before the IEPA for emissions in a photo finishing plant in Mundelein. She wrote a letter on behalf of the Village opposing the permit.

VII. MAYORS REPORT AND COMMITTEE REPORTS

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

This agenda item was addressed earlier in the meeting.

- B. Planning, Building and Zoning Commission -----Susy Rein, Chair
Dominick DiMaggio, Trustee Liaison

This agenda item was addressed earlier in the meeting.

- C. Public Safety and Judicial -----Vacant, Chair
Neil Morgan, Trustee Liaison

No report this month.

- D. Parks and Recreation -----Vacant, Chair
Vacant, Trustee Liaison

No report this month.

- E. Environmental Committee -----John Bickley, Chair
Steve Riess, Trustee Liaison

1. Approval of a Resolution to Become a U.S. EPA WaterSense Promotional Partner

Motion by Corrigan, second by Morgan to approve a Resolution to Become a U.S. EPA WaterSense Promotional Partner

It was noted there is no cost to the Village.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

Absent: David

Motion carried.

- F. Zoning Board of Appeals -----Vacant, Chair

Dominick DiMaggio, Trustee Liaison

No report this month.

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

No report this month.

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

No report this month.

XI. EXECUTIVE SESSION

Motion by Ponzio, second by Corrigan to enter into Executive Session to discuss possible or pending litigation. It was noted there will be no business conducted after Executive Session.

Roll call vote.

Ayes: Ponzio, Riess, Morgan, Corrigan and DiMaggio

Nays: None

Abstentions: None

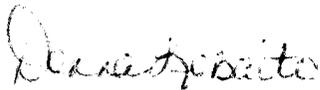
Absent: David

Motion carried.

XII. ADJOURNMENT

There being no further business the regular meeting adjourned at 9:44 p.m.

Respectfully submitted,



Donna Lobaito
Village Clerk