

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD WEDNESDAY,
OCTOBER 25, 2006 AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:30 p.m. President Sauer called the Meeting to order. The Village Clerk led the Pledge of Allegiance, and then called the roll:

Present: President Sauer, Trustees Contorno, Farrell, Moran, Pino, and Tripicchio
Absent: Trustee Schnure

Also Present: Kathy Nelander, Village Clerk
Judy Janus, Village Administrator
J. W. Braithwaite, Village Attorney
Roberta Svacha, Village Treasurer
Bruce Kramper, 178 Pheasant Run Trail
Sgt. Vernon Hoth, Lake County Sheriff's Police
Warren Nass, 107 Mohawk Drive
Amy Vandenberg, 229 Orchard Road
Kim Block, 128 Cherry Hill Road

CLOSED SESSION: Motion: Trustee Contorno moved a portion of the meeting be closed to the public, effective immediately as permitted by 5 ILCS 120/2(A) (c), to consider the acquisition of real property by the Village, or to consider the selling price of real estate and 5 ILCS 120/2 (C) (11), to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal or which is probable or imminent and 5ILCS 120/2(C) (1) to discuss personnel; seconded by Trustee Tripicchio.

Vote on Motion

By Roll Call: Ayes: Trustees Contorno, Farrell, Moran, Pino and Tripicchio
Nays: None
Absent: Trustee Schnure
Abstain: None

President Sauer declared the motion approved.

The Board went into Closed Session at 7:35p.m.

RECONVENE OF OPEN SESSION

President Sauer reconvened open session at 8:08 p.m.
The roll was called and a quorum re-established.

II. Public Comment

There was no one who wished to address the Board.

III. Consent Agenda

Items:

- D. Resolution # ___ Regarding Teleconferencing
 - E. Resolution appointing David Wilford as Plan Commission Member
 - F. Resolution appointing Mark Hampton as Plan Commission Alternate Member
- were removed from the Consent Agenda.

Motion: On motion of Trustee Pino, seconded by Trustee Tripicchio, moved approval of the following agenda items by a single omnibus vote:

- A. Approve Minutes of Board Meeting – 9/27/06
- B. Approve the 10/25/06 Vouchers for payment of bills
- C. Approve the Treasurer’s Report for the 54th month of Fiscal Year 2007

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: President Sauer, Trustees Contorno, Farrell, Moran, Pino and Tripicchio
Nays: None
Absent: Trustee Schnure
Abstain: None

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

- D. Resolution # ___ Regarding Teleconferencing

Trustee Pino said that he did not have problems with the idea of teleconferencing but had some problems with the language in the resolution.

Village Attorney J.W. Braithwaite explained that the wording was almost verbatim from the new State statutes. Mr. Braithwaite explained that the Village does not have to allow for teleconferencing or can add additional restrictions. The existing conditions provided that not more than two people could participate in teleconferencing and the new language allows for any number to participate in teleconferencing as long as you have three people physically at the meeting; a majority of a quorum.

Trustee Pino said that he did not support having that many members able to teleconference because it was important for Board members to be present for meetings.

Trustee Contorno said that he travels often for business and supports the ability to be able to teleconference.

President Sauer said that he felt that anything the Village could do to allow for increased flexibility would be helpful; adding that all Boards and Commissions are made up of volunteers.

The Board decided to table the matter for further discussion at next month's meeting.

Motion: Trustee Pino moved to table the proposed Resolution; seconded by Trustee Moran.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Sauer declared the motion approved and the matter tabled until the November meeting.

E. Resolution #2426 appointing David Wilford as Plan Commission Member

F. Resolution#2427 appointing Mark Hampton as Plan Commission Alternate Member

Trustee Moran explained that he with the Plan Commission Chairman Martin Pais had met with the two candidates and had discussed among other things, attendance and possible economic interests. Trustee Moran said that both candidates committed to attending at least 80% of the meetings, and there were no conflicts of interest with regard to economic interests. Trustee Moran said that he felt it was important to involve the Trustee Liaison as well as the Chair with regard to appointing new members to a Commission, and recommended the appointment of both candidates to the Plan Commission.

Motion: Trustee Moran moved to approve Resolutions #2426 and #2427; seconded by Trustee Contorno.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Contorno, Farrell, Moran, Pino, and Tripicchio

Nays: None

Absent: Trustee Schnure

Abstain: None

President Sauer declared the motion approved.

IV. VARIATIONS/CODE AMENDEMENTS

A. Ordinance #1106, Zoning Variation re: Vandenberg, 229 Orchard Road

The Ordinance had been made available to the Board in advance of the meeting in their packet materials. President Sauer explained the variances to the code requested by Mr. & Mrs. Mark Vandenberg:

ZR-10-1-2(B) and

ZR-10-4-2(A,1,b): A non-conforming building or use shall not be expanded.

The subject property is non-conforming due to lot size and building setback.

ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet.

The lot area of the subject property is 25,450.66 square feet (.58 acres).

ZR-10-9-2(C): From the rear property line, the setback shall not be less than 40 feet.

The existing house is located 23.15 feet from the rear property line and the existing wood deck is located approximately 15 feet from the rear property line and therefore non-conforming.

(Note: Although the existing house and wood deck is less than the required distance from the rear lot line, no portion of the proposed addition lies within the non-conforming setback area.

President Sauer invited Zoning Board of Appeals Chairman Nass to address the Board and explain the recommendations of the Zoning Board of Appeals. Chairman Nass explained that the Vandenberg wished to construct a master bedroom and master bath addition to the existing home over the existing garage space. The addition would not expand the footprint of the home, and the three bedroom count for the home would remain the same as they were converting a smaller bedroom into a study, removing the closets from the room, as well as removing an existing door and reconfiguring walls per the recommendations of the Village Health Officer. Chairman Nass noted that all the requirements for the variance request had been met and there were no objections from neighbors or Village Staff. Chairman Nass said that the Zoning Board recommended approving the variance request.

Motion: Trustee Moran moved to adopt Ordinance #1106 granting approval of the variance requests for Mr. & Mrs. Mark Vandenberg to construct a master bedroom and master bath addition to the existing home at 229 Orchard Road using the plans prepared by Muran-Nowak Architects, Ltd., last dated 9/19/06; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, Pino, and Tripicchio
	Nays:	None
	Absent:	Trustee Schnure
	Abstain:	None

President Sauer declared the motion approved.

B. Ordinance #1107, Adopting the Amended Version of the WDO

The Ordinance had been made available to the Board in advance of the meeting in their packet materials. In a cover memo to the Board, Village Attorney J. W. Braithwaite explains that Lake County has adopted amendments to its Watershed Development Ordinance and in order for the Village to continue to participate in the National Flood Insurance Program, the recent Lake County amendments must be adopted by the Village. There were some questions from the Board.

Motion: Trustee Tripicchio moved to adopt Ordinance #1107; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, Pino, and Tripicchio
	Nays:	None
	Absent:	Trustee Schnure
	Abstain:	None

President Sauer declared the motion approved.

C. Ordinance #1108 Amendment to Village Code regarding Plan Commission Members

The Ordinance had been made available to the Board in their packet materials. Trustee Moran explained that while interviewing candidates for the Plan Commission, the duties of the Alternate members were discussed. An alternate can take the place of a regular member who is not present at a particular meeting, for voting purposes, but can attend and participate in all meetings. The present wording in the Code is not very clear and the Village Attorney revised the existing language for clarification purposes.

Trustee Pino said that he had concerns about an alternate member only attending when a regular member was absent. It was noted that alternate members take part in all discussions, whether they are participating in the vote or not. There was some additional discussion about attendance and meeting attendance requirements.

Motion: Trustee Tripicchio moved to adopt Ordinance #1108; seconded by Trustee Moran.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Contorno, Farrell, Moran, and Tripicchio
	Nays:	Trustee Pino
	Absent:	Trustee Schnure
	Abstain:	None

President Sauer declared the motion approved.

I. COMMISSION AND STAFF REPORTS

President Sauer stated that the following items were contained in the Trustee's packets distributed on the Friday prior to the meeting and that if there were any questions, to contact the corresponding Commission Chair or Village Officer.

- A. Building Department Report (Kelly Rafferty - Rafferty Architects)
- B. Building Inspection Report (B&F Technical Code Services, Inc.)
- C. Health & Sanitation Report (Natalie Karney - Land Technology)
- D. Engineering Project Status Report (Andrea Pracht – Baxter & Woodman)
- E. Parks & Recreation Commission Meeting Minutes (10/02/06)
- F. Plan Commission Hearing and Meeting Minutes (10/09/06)
- G. Zoning Board of Appeals Meeting (10/10/06)
- H. Environmental Commission Meeting Minutes (10/19/06)

VII. ADMINISTRATION – President Bruce Sauer

- A. Resolution #___ approving Wynstone Snowplowing Agreement

The Resolution had been made available to the Board in their packet materials.

President Sauer explained that since the Resolution involved Wynstone, both he and Trustee Contorno as property owners in Wynstone would reclude themselves from the discussion as well as the vote regarding the Agreement.

Trustee Tripicchio presented the topic to the Board. He explained that for the past 10 years the Village had entered into an agreement to reimburse Wynstone for snowplowing each time there is a snowfall of 2" or more within a 24 hour period. As explained in the resolution, the roads within the Wynstone subdivision are owned by the Wynstone Property Owners Association (POA) and are not dedicated to the Village. Wynstone's snow plowing and ice removal on the Wynstone roads is accomplished by a private contractor employed by the POA. Previous boards had felt that it was in the public interest that the Wynstone roads be maintained, as to snow and ice removal, at a level which allows unimpeded access by emergency vehicles (fire fighting equipment, police vehicles, and emergency medical vehicles and personnel.)The Village levies real estate taxes against the owners of lots within Wynstone Subdivision and a portion of such real estate tax receipts are designated in the budget for the Village for snow and ice removal.

Since the inception of the reimbursal plan in 1996, the dollar amounts have changed. In 1996 the total amount to be paid by the Village for snowplowing services was not to exceed \$10,000.

In the years 1997, 98 and 99 it was lowered to an amount up to \$6000. In 2005 the amount went back to the \$10,000 amount. The required snow fall levels have changed as well, the first agreement called for a snow fall of 4 inches or more for this these monies to be used and in 2002 the snow fall amount was changed to a snowfall of 2 inches or more. The last resolution expired in April of 2006 and Wynstone was requesting that the Board adopt a new resolution but in the amount of \$33,670.

Trustee Tripicchio said that he did not recommend using the proposed amount.

Trustee Moran said that he felt that the roads were private in Wynstone and not the responsibility of the Village.

Trustee Farrell explained that her home was located on a private road and the six homeowners have to share the costs to have the road maintained, such as for seal coating and plowing. Trustee Farrell said that she did not think it was fair to give Village funds for Wynstone's private roads. Trustee Farrell felt that the whole idea to subsidize Wynstone snowplowing is unethical.

There was some discussion about costs for materials and that Wynstone should be able to buy salt for the same rates as the Village.

Village Treasurer Roberta Svacha explained that the Village receives \$58,000 in real estate taxes for Road & Bridge, which pays for snowplowing services. She suggested using a percentage to reimburse Wynstone.

Trustee Pino said that he would be in favor of giving the same amount as previously done as the Village receives tax dollars from Wynstone residents to use on the Village's roads.

There was lengthy discussion about some of the smaller roads in the Village that are considered private drives and the issues with maintaining these roads. It was suggested that a representative of Wynstone address the Board and explain the reimbursement request.

Motion: Trustee Moran moved to deny approval of the proposed Resolution for Wynstone Subdivision Snowplowing, Salting and Sanding of Roads reimbursement in an amount not to exceed \$33,670; seconded by Trustee Farrell.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Farrell, Moran, Pino, and Tripicchio
	Nays:	None
	Absent:	Trustee Schnure
	Abstain:	Trustee Contorno, President Sauer

President Sauer declared the motion approved and the resolution denied.

B. Memorial Plaque

President Sauer explained that the BACOG Village were asked to donate towards a Memorial Plaque in honor of deceased Tower Lakes Village President Leonard J. Kuskowski. The Village of North Barrington, along with Cuba Township and the Village of Lake Barrington pledged to donate \$250 towards the plaque which will be located at the entrance of the new Kuskowski Bike and Walking Path in Tower Lakes. President Sauer explained that the money would be charged to Administration.

Motion: Trustee Pino moved to approve the expenditure of \$250 from the Administration Budget towards the memorial plaque for the Leonard J. Kuskowski Bike and Walking Path; seconded by Trustee Farrell.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Contorno, Farrell, Moran, Pino, and Tripicchio, President Sauer
Nays: None
Absent: Trustee Schnure
Abstain: None

President Sauer declared the motion approved.

C. Routes 12 and 22 Road Construction

President Sauer said that the construction on Routes 12 and 22 had negatively impacted the business in that area. President Sauer said that during a meeting at the Lake Zurich Chamber of Commerce, those concerns were discussed. The Chamber of Commerce is in the process of a Public Relations campaign to encourage shoppers/diners to return to the area, and this project would require funding. President Sauer asked the Board if they felt that a donation of \$1000 was appropriate to support local businesses. The Board felt that it would be appropriate for a representative from the Lake Zurich Chamber to address the Board and explain how the money would be used before moving forward with a decision.

D. Haverton on the Pond Subdivision – Lot Boundaries

Discussions on the matter were previously held in Closed Session.

Motion: Trustee Moran moved to direct the Village Attorney to refrain from taking action to attempt to enforce purely technical issues as to changes to lot boundaries many years ago in Haverton on the Pond Subdivision; seconded by Trustee Pino.

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Contorno, Farrell, Moran, Pino, and Tripicchio

Nays: None
Absent: Trustee Schnure
Abstain: None

President Sauer declared the motion approved.

VII. Reports by Board of Trustees

A. Trustee Frank Tripicchio

Trustee Tripicchio reminded the Board about the road analysis project with Gewalt Hamilton and explained that the Village is very close to having the agreement to include all the GIS components. The contract will go to the Village Attorney for review and be available for the November Board Meeting. Trustee Tripicchio explained that the road analysis project will be started in November; the analysis portion would take two weeks, and the data would then be entered into the GIS program by the end of December. A presentation to the Board would then be scheduled for January 2007.

B. Trustee Jane Farrell

Trustee Farrell updated the Board on the activities of the Parks and Recreation Commission including the Fall Festival at Eton Park.

C. Trustee Al Pino

Trustee Pino said that the Board had already discussed the Zoning variation for the Vandenberg property 229 Orchard Road and that he had nothing further to add.

D. Trustee Moran

Trustee Moran reported on the activities of the Plan Commission, including a discussion about the intersection of Route 12 and Miller Road. The Village of Lake Zurich has written to IDOT about lowering the speed limit on some specific portions of Route 12 and the Commission was hoping to send one as well. There was some discussion about the speed limit on Route 12 although the Board did not agree to pursue lowering the speed limit.

E. Trustee John Schnure

Trustee Schnure was absent.

F. Trustee Rick Contorno

Trustee Contorno had nothing to report.

VIII. OLD BUSINESS

A. Burning Survey

The Board extensively discussed a draft version of a Leaf Burning Survey as submitted by the Environmental Commission. The Board wanted the survey to be presented in an objective, but educating manner. Changes were made to the draft version after discussions on the wording of the questions. Burning is not allowed in Wynstone and there was some discussion as to whether or not the survey should be distributed in Wynstone. It was determined that Wynstone should be included as portions of the community back up to portions of North Barrington where burning is allowed. A final draft would be distributed to the Board for further comment and finalization of the survey. After a consensus by the Board the survey would be sent out as soon as possible to all Village residents to coincide with the leaf burning season. The survey would also have an area to indicate home location as well as an area for additional comments.

IX. NEW BUSINESS

President Sauer explained that some of the Village's certificates of deposit had matured and had been reinvested. President Sauer thanked Trustee Jim Moran and Village Treasurer Roberta Svacha for monitoring the Village's accounts and investments.

X. ADJOURNMENT

There being no further business to come before the Board, Trustee Farrell moved to adjourn the meeting; seconded by Trustee Pino.

At 9:50 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held November 20, 2006.

Attest: _____

Kathy Nelander, Village Clerk

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