**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES**
**OF THE VILLAGE OF HARWOOD HEIGHTS**
**HELD ON THURSDAY, FEBRUARY 9, 2006**

**A. CALL TO ORDER** at 7:30 pm by Mayor Margaret P. Fuller

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

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| Mayor | Margaret P. Fuller |
| Clerk | Dianne H. Larson |
| Deputy Clerk | Marcia Pollowy |
| Trustees | George Alex<br>Mark Dobrzycki<br>Arlene Jezierny<br>Demetrios Mougolias<br>Roy Schmidt<br>Lester Szlendak |
| Attorney | Mat Delort |

**D. PUBLIC COMMENT**

**Joan Krzywicki White, 7429 W. Winona:** On Wednesday of last week, I attended the Committee of the Whole Meeting, where the agenda listed one item for discussion as "Part-time Office Clerk/Office Manager" and the Board did go into Executive Session for this discussion. However, it is apparent by tonight's agenda, that this board no longer wants to advertise for office help, as they insisted was proper in the past, because tonight, one week later there is a definite appointment of a part-time office clerk. Also other is an appointment for Bobby Zitella on the Advisory Committee for the SSA area. Could there be conflict here? This company will be paid for doing work on this SSA.

Tonight's agenda also shows a confirmation of the Mayor's appointment of a Village Prosecutor and this appointment is to be effective February 1st. It is apparently "after the fact", something that brought high criticism for the past administration. When did the Mayor make this appointment? At Wednesday's Committee Meeting of the Whole it was a brief mention that she was going to make an appointment, nothing was said about the persons resume or past credentials, except that someone had shown her around. Because this appointment has not yet been confirmed, I wish to question the advisability and prudence of this particular appointment. If you will look here, I hold copies of certain documents: 1.) An item that appears on the Mayor's website indicates that she was given an award in June 2004 by the Citizen Advocacy Center in Elmhurst. Just by coincidence, her perspective appointee for Prosecutor, Ellen Raymond, was and still is on the advisory board of that organization in Elmhurst. 2.) Search of the web also produced a lawyer profile for Ellen Raymond, which describes her practice category as "Election Campaign and Political Law". She apparently practices law in the town of Western Springs and holds a Post Office Box address there. No mention of experience as prosecuting traffic tickets, appear there. 3.) Schedule "B" of one of the Vision Party campaign reports shows that Ellen Raymond was paid $1,127.84 for consulting fees which she earned during that Harwood Heights election campaign. This by the way, was the same campaign, which Margaret Fuller supported because she paid $1,700.00 for two newspaper ads on behalf of the Mike Mc Gough Vision Party. 4.) Last, but certainly not least, is a copy of a motion to substitute attorney filed in the George Alex illegal basement apartment case, wherein Mr. Alex appoints this person, Ellen Raymond, to replace Wolfe & Tenant as his attorney in that case.

Somehow, in my eyes, this appointment reaches out for a cry of possible conflict of interest. And I do vividly recall, Trustee Schmidt last September speaking what he heard at the Municipal League Convention, "Best to avoid even the presumption of wrong doing". I will now present copies of these documents to the new Trustees and to Trustee Jezierny, feeling that these might be the people who were not completely aware of what was going on a few years ago, before they sat on the board. I also have to wonder what would happen if this appointment were not confirmed, would there be another Ruth Waiukiewicz lawsuit for pay due since February 1st?

**Terry Schuepfer, 7259 W. Lawrence Ave**: I want to call the Trustees' attention to item I-2 on the Consent Agenda; I had previously called Mayor Fuller about this and you probably note that my name or my father's name is conspicuously absent; given my excess verbal participation one would anticipate that we would be participants in this committee. I expressed my concern to Mayor Fuller that I thought the appointment of the committee was premature since we are still in the challenge period for the SSA and that this advisory committee is actually associated with the fully established SSA and so I questioned whether or not it was appropriate to form the committee at this time. The Mayor told me that it was an appointment only; however, the letter that we received in fact convenes the committee next Monday at 5:30pm to discuss potential expenditures. So I had some concern and I also wanted you to know why our name was not on that at this particular time, we are reserving our right to exercise the challenge during that 60-day period that everyone in this room heard from Mr. Cope is in place. And beyond that, I just want to remark about the nature…
**Trustee Alex**: Dr. Schuepfer, I just have one quick question, I want to make sure that I understood. You're saying your name isn't on that list because you don't want to be on that list? Is that it? **Terry Schuepfer**: I'm saying that I try not to engage in behaviors that are not appropriate in their timeliness and at this point, this committee should not be convened because the SSA has not finished their challenge. **Trustee Alex**: I understand that Doctor, but where you offered a chance to be on that committee? **Terry Schuepfer**: I am explaining to you, Mr. Alex. **Trustee Alex**: Yes or no? Were you offered a chance to be on that committee? I just want to understand myself. **Terry Schuepfer**: Yes and we gave an explanation. **Trustee Alex**: Ok, I understand, I didn't hear it. **Terry Schuepfer**: Certainly if the challenge fails, we would expect to be a participant, however, at this time I don't think it's appropriate that the committee is convened before there is a full establishment of the SSA, where by the challenge period has gone past. I just wanted to talk about the nature of the Advisory Committee, note that I'm not denying the possibility that it exists, but I serve on a number of Advisory Committees and as I understand this Advisory Group has no vote, will make recommendations to the Mayor and to the Trustees and they have the final approval. My concern here is that the Mayor lists herself as a participant. Typically on Advisory Boards, the person to whom the advice is being given, either serves as an ex-officio member or in fact is absent from the meetings of the Advisory Committee, so that the members of the Advisory Committee can deliberate and discuss without any, and again we're talking about perception, with any intimation that coercion may be in place. And since this Advisory Group is made up of residents who may eventually be spending quite large sums of money, one would hope that they'd be allowed to deliberate without the individuals present. So, I assume that the village could certainly provide a place for the Advisory Committee and the forum where by the individuals will make their recommendations to the Mayor and to the Trustees as well.

## E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY

**Mayor's Report**
**Mayor Fuller**

Good evening, first this evening I would like to introduce Commander Carmen Rinaldi of the NPT Fire Protection District who is also the village's code enforcement officer. Carmen was one of many firefighters who went to help citizens in Hurricane Katrina ravaged areas. Harwood Heights is proud to have a citizen who volunteers of himself to help others and who was recently recognized for his service to help humanity. We will recess for about 15 minutes to the community room, so that Commander Rinaldi can show us a video and talk about his experiences.

Announce that we have returned from recess:

On tonight's agenda I am asking the board to concur with my recommendation to appoint attorney, Ellen Raymond, as the village prosecutor. The Duties of the prosecutor is to represent the village for traffic and ordinance violation tickets. Ellen has been in training with our village attorneys for about six months now, attending prosecution calls at the Bridgeview courthouse. Ellen has also attended some other prosecution calls handled by other firms. Ms. Raymond has prosecuted and won cases against numerous villages, so I hope that the board will concur with my recommendation so that she will be on our side instead of against us!

Ellen was recently awarded the Citizen Advocacy Center Award for increasing civic participation and was also awarded the Illinois Arborist Association Gold Leaf Award for her work as President of "Save the Timbers" citizens group formed to protect the Timber Trails Golf Course and their magnificent trees. I want to thank attorney Bill Trunk for his

many years of service to Harwood Heights as the village prosecutor, I am glad that I took the time to search for the certain kind of attorney for this position to follow in Mr. Trunks footsteps, with strong ethics and who acts professionally and unbiased, so that the process reflects positively on the village and its residents. One of the reasons that it took so long is that we were trying to get the court schedule changed, it's very hard to find an attorney that can be available six days a week the way that the court schedule was currently being issued. So we were, it took us six months of conversations with the court, but we did get it reduced to two days so the attorney only has to go down to the court house two days a month, instead of six days a month. And I would also like to add, if someone, there's absolutely nothing illegal or improper with us working with Ellen Raymond. If somebody wants to open a can of worms, we can even bring in the campaign reports of Mayor Pabich and Trustee Jezierny accepting money from Odelson & Sterk while they were in office here, which is a lot different than someone that has never even worked for the village. So I mean, those accusations were the most ridiculous thing I've ever heard in my life. One of the good points of having Ellen Raymond is because she did take over the Alex case and won and she beat Odelson & Sterk. She's an excellent attorney, I'm very happy and I hope the board will approve her tonight.

Also on the agenda tonight I am asking the board to concur with my recommendations for members to the Special Service Area Advisory Committee. Each property owner was contacted for the person who will represent their property. One property owner declined to be a member. Because the committee is advisory in nature the special service area does not need to be established prior to the committee members being appointed or meeting. Of course no action, by the committee, even though its advisory, will be taken unless the SSA goes through. And I wanted to add because there was a question earlier that myself and the Fire District representative are both ex-officio members because we are exempt properties, but we are members of the committee.

Chief Podosek received verification from the Illinois Liquor Control Commission that our grant application was accepted again for this year. We will be receiving $1,400.00. That should bring our total grant funding for this program to $5,000.00.

Today I visited Maple Park Academy along with Chief Podosek and Officer Narduli. Maple Park Academy is located in St. Rosalie's former school building, and is an alternative High School teaching special education with a priority on emotional issues. The high school is very pleased to be working with our police dept. and especially Officer Nardulli who was chosen by the Chief because of his experience and skills in working with teenagers. I want to thank the principal for his hard work with the school and for taking the time to give me a tour.

Tonights agenda includes a motion to enter into an Intergovernmental Agreement between the County of Cook and the Village of Harwood Heights for the Provision of Wide Area Network Equipment and Connectivity. I would ask Chief Podosek to offer come comments on this agreement and the costs involved.

**Chief Podosek**: The program is referred as CABS (Criminal Apprehension Booking System); it will allow every agency in the countywide area of Cook to interface with each other in regards to booking, any subject that they have in custody. The Cook County Sheriff went to the Federal Government, proposed this idea and they funded the whole system through the Homeland Security Fund; approximately $8,000,000 was given to the Cook County Sheriff. Every agency in Cook County was given the opportunity to participate. I approached the Mayor and I said it would be very valuable for the Police Department to participate in this, because there's approximately 95 communities in Cook County along with the City of Chicago now will interface with the City of Chicago, State Police and every county agency. We found out one thing after 9-11, the most important thing to any federal agency, state agency and local agency is information; and we have to interface with each other. If we're not interfacing with each other, we're not gathering information from one another, it's not helping us, so that was the purpose to approach the Federal Government and Sheriff Sheahan was able to convince them that this would be a very valuable system. In fact, I think it's the first one in the United States that will allow county agency to interface with every local agency. The system itself that we will be receiving, Motorola was the vendor that was given the contract because of their size and ability, because you're dealing with 95 agencies. They developed a live scan system that we're all going to be using. The system itself is a cost of $80,000; that system is free to the agencies that are participating in this. The only cost that the village has to fund is $8,600, which is a fee to pay for the cost of installation and setup and then there's an annual fee of $3,300 that is paid to Cook County to allow us to interface with the system. So I think again, considering the cost of the unit itself and there's no cost to the village and what we're going to be receiving as far as information, I think it's very valuable.

**Mayor Fuller**: On behalf of Governor Blagojevich, I am pleased to offer registration forms for the All Kids Health Insurance Program. Any children in the community who do not have health insurance can pick up a pre-registration form at the village hall or call 1-866-255-5437.

Because of continual misrepresentation of facts regarding the sewer fees, please bare with me while I go through the actualities. The City of Chicago imposed sewer fees on HH in 2002 along with other communities. Harwood Heights' fees were estimated at $153,000 or more. At that time, everyone, the board and the current mayor agreed not to pay these fees, but rather to investigate the charges. Trustee Jezierny now claims that was not a good idea; but she never recommended a plan of payment, or placed a motion on the agenda to pay the bill in her previous or current term of office. The first motion came from me as we recently paid $50,000 towards the bill to show good faith while in negotiations. The Mayor, as the Chief Officer, and the village attorney, can negotiate on behalf of the village. The former Mayor & Trustee Jezierny met w/Chicago officials, but nothing came of it. Nothing was paid on the charges, nothing was reduced, no plan of payment was set forth, and the bills kept rolling in. Later they hired a different village attorney who then announced at a board meeting something to the effect that he would get help on the Chicago Sewer charges. Nothing came of that also.

Trustee Jezierny claims that we are guilty of the same thing as Chicago by charging a sewer fee without documentation. But Trustee Jezierny already has the documentation for what the village needs to charge for sewer fees. She in turn has not provided anyone with documentation for her recent, *after the ordinance was already adopted;* suggestion. I am appalled that Trustee Jezierny would suggest that we charge only those houses that are connected to Chicago, because we are still determining which properties are connected through on site visits with engineers. We do not yet have an agreement with Chicago. And as the PW chairperson for over 4 years, she should know better. I did find that Trustee Jezierny's address is not on the current list of being connected to Chicago. For example, is she suggesting that we should we make the east side of HH pay fees and part of the west side not, is this fair? Should the village then only repair sewers for those who pay the fees? I believe Trustee Jezierny is trying to take attention away from the real issues here, that Chicago is charging the village over $153,000 a year and does not maintain ANY of our sewers.

Anyone can obtain the documentation that Trustee Jezierny already has regarding sewer fees, but I am providing everyone with the documentation now: (ask Sargeant at Arms to distribute) I ask that you follow along with me.

- 1st the village owes the City over $800,000 and Chicago can increase charges anytime. (see pages #1) Even if we get the penalties waived, and with collecting fees from every metered property in the village, it may take several years to pay this off. Further more, sewer maintenance and repairs are very expensive, repaving Olcott Ave with sewer upgrades, cost about $750,000 and the Oriole Ave storm sewer project was another $600,000. Rodding sewers can cost from $21 to $30,000. Trustee Jezierny is well aware of the cost of sewer repairs, or she should be, as she chaired the committee previously. The board recently implemented a plan. But even collecting the $9.65 a month from all connected users in HH it will still take years to have enough money to pay off the past due fees to Chicago, pay the current fees, or to do sewer maintenance as necessary.
- Enclosed in your packet is a spreadsheet that Trustee Alex, as Finance Chairman prepared (page 2; and page 2a- shows the maintenance breakdown) using the number of meters billed that was supplied by our water billing staff, (page 3) this is based on the 2002 agreement, also in your packet, (page 4) remember this report from Chicago is not accurate. Trustee Alex will talk more about the report in his committee report

In the last nine months our attorneys have actively been negotiating with Chicago. What has been extremely helpful is that the attorney who is working on the Chicago sewer issue is also an engineer.

As we are in the middle of negotiations with Chicago I am not going to give every detail, but I can tell you we have gone back and forth several times regarding which houses are connected to Chicago and which are not. First we were able to confirm that Harwood Heights does not have any 8" sewer connections to Chicago and that we were wrongly charged. Then were able to get over 100 connections subtracted, then the city came back with over a hundred new ones, now we went back to remove another 47. We found some addresses were listed twice, we found some addresses had a combined sewer where two sewers discharged through a single connection; we found others discharged into the MWRD and not

Chicago. As I said at this time there is no agreement or a final number of connections. As you can see, it's pretty obvious that Chicago did not provide documentation of the sewer connections before they decided to bill us. That's what I'm talking about in my proposed legislation --- shouldn't HH deserve documentation of the actual costs from Chicago so we can pass that information onto our residents?

I want to make it clear, that no one is more opposed to these charges and having to pass these charges on to our residents than me and this whole board. No one pulled a number out of a hat and said let's charge this amount and see what happens. The board prepared a plan of action.

As far as distribution of the fees, last meeting Trustee Jezierny said and I quote from the minutes "I find that the sewer fees levied to our residents are not fairly distributed; and if all are going to be charged, I feel we can lower this charge overall." A suggestion was that every single household, condo, apartment, etc. should be billed to reduce the amount charged. The village currently has two options for the collection of money from property owners, either on the water bill or the tax bill. Should the condos on Lawrence Avenue for example, who may not even be connected directly to a Chicago sewer, and who don't have individual meters, pay 140 times the rate? Currently we are billing every property that has a meter. Remember that these fees that we were forced to pass on, are sewer connection fees, they belong to the property, not to the people who live there. Whether there is one person or a family of 10, there is one connection to that property yet the village is financially responsible to maintain all the sewers, not Chicago.

This board met and agonized about our financial situation, and how we would have to pass on the charges to the residents, and whether to use a metered method or fixed sum. Trustee Jezierny was again absent from the meeting, therefore did not participate in her duties as a board member. Therefore she did not make any recommendations as to how to pay for the sewer fees, or how to distribute fees nor did she do supply the board with any research. It's much, much easier just to come back later and complain about what everyone else does.

- On another issue, contrary to what Trustee Jezierny said at the last meeting, the village has not increased the water rates in the village for 3 years, last increase was Dec. 2002 passed by Trustee Jezierny. (see pages 5 and 5a and 5b) That's increases that the village did not pass on to the residents. But the village can no longer absorb the cost of doing business with Chicago. The water monies go toward paying for the water and the maintenance of the infrastructure. Water meter consultants that our staff met with to discuss upgrading to new meters have stated that our rates are perhaps a little low. Luckily, we were notified that there is no increase in the water rates this year 2006 for water from Chicago, but they did eliminate our prompt payment discount, thereby still costing us more money at about $11,000 which I reported at a previous meeting.

After much discussion and debate, the rest of the board put personal opinions aside and came together to make a decision for the village, so that we can accumulate the money we need to pay past due and present charges and plan for annual sewer maintenance - OR we could just argue about this for another 4 years until the village owes owe several million? Some of the concerns included that by using the metered way, we would be charging once for water use coming in, and then again going out. Another fault with this method is that people who water their grass would be metered, and charged for water that was not going into the sewers but into their lawn. People who have a leaky toilet or faucet would be charged twice for that use of water. Heavy water users would pay huge bills when they still have only one sewer connection. The other issue was coming up with a rate and method to make sure we were collecting enough funds to pay the sewer charges, pay the past due amounts, and pay for future maintenance of the sewers. Residents let us know that they preferred a fixed rate because they wanted to know how much they would be charged on a monthly basis, rather than being unsure of what their bill would be. *There will always be people that will be unhappy no matter how things are done, some residents complained about free garbage cans, and they continue to give us their concerns about any changes taking place and we welcome their opinions.*

The plan that gained approval, and was voted upon and adopted, was to charge everyone what Chicago is charging us, but to all metered users throughout the village, because we must pay off several years of past due charges, pay the new charges and maintain all the sewers, not just the ones connected to Chicago. *If Trustee Jezierny or any trustee, wanted to propose another way to collect enough money to pay the bills they were welcome, and are still welcome to do so. I think Trustee Jezierny had about 4 years to bring her proposal and documentation to the board for a plan, but we have not received anything. I wonder if the portion of property owners that are connected to Chicago know that Trustee Jezierny*

*wants them to bear the full cost of the over $800,000 owed to Chicago? I ask Trustee Jezierny to please provide me with the documentation of how much my neighbors will have to pay if they alone are responsible for all the Chicago charges.*

We might not of had to pass these charges on to the residents at all, if the 2001-2003 board majority did not overspend by millions, pass the largest tax increase in the history of the village, and put us in the financial situation that we are in today; leaving us with a deficit of $2.4 million dollars as of 4/30/04. (see page #6- the 2004 financial statement) AND coming in the year 2008, the village will be responsible for a $870,000 balloon payment (see page 7) on a 1998 street bond issue, that the previous administration did not prepare for. This is not blame, this is fact.

On another note, State Representative McAuliffe has submitted a bill, House Bill 5291, (page #8 and 8a) proposing what I and many residents asked him to do, legislation so that the city supply cost documentation. We also have the support of the West Central Municipal Conference. Its great to have a bill out there, but it needs sponsorship AND support, and right now it is sitting in the Rules Committee but I will follow it and let you know where it is going. We thank Rep. McAuliffe for the sponsorship but I sure wish he would have contacted me prior to writing the bill because now I have new concerns, a new development ---

Yes such as,---- I just recently found out that Chicago has a Discount for sewer charges being offered to Chicago senior citizen owners of single family homes which has not been passed on to us. They have actual criteria for this exemption which is in your packets. (see page #9 - from Chicago web site) We need to ask our legislators WHY NOT our seniors? I am furious with this as just another unfair action by Chicago. I called our village attorney and asked them to include this senior discount issue in the negotiations with Chicago. We have not received a reply as of this date. Please be sure that we are looking into this issue and it is a priority.

On the other hand, Senator DeLeo let me know that he is not sponsoring or supporting the legislation, but he is willing to help negotiate the waiver of the penalties and we thank him for that. Senator DeLeo feels in his own words "Chicago is not out to gouge smaller municipalities. As a matter of fact, the service that Chicago provides saves small municipalities like Harwood Heights, from having to provide water and sewer services to its own residents and maintain an expensive network of systems. The service that Chicago provides saves you and your residents' money." I tend to disagree with Senator DeLeo, this is price gouging to the limit as far as I am concerned, the charges went from about $5,000 a year for sewer connection fees to 153,000 a year, this is price gouging at the utmost, after all this is water passing through pipes we are talking about not OIL. Plus HH property owners already pay taxes to the MWRD on our property tax bills for water treatment.

Norridge, who has a much larger tax base with the Harlem Irving Plaza alone, now has an agreement only pays about $59,000 a year compared to our proposed $153,000. And I believe Evergreen Park pays only about $8,000 a year. No other town has charges to the extent that we do. None of our state legislators offered to talk to me about my proposed legislation therefore I do not have a comment from them about why seniors owning single family homes in Chicago get an exemption while seniors in Harwood Heights do not. But I think that is a question that seniors need to ask all our state representatives as I will be doing.

That is why continuing to contact the legislators is so important. HH has been a good neighbor to Chicago, in the past HH allowed Chicago a water line easement all the way to O'Hare Airport through our village. Maybe Chicago could be just a little bit thankful to us.

I want to advise the board especially one trustee, that the time to talk about why you are voting for something is at the time of the motion and the vote. The board is the legislative body and the procedure is that when the motion is made and seconded this is the time to state your reasons for your vote and this is the time for debate. If you are absent from the vote, you lose your opportunity to comment about that vote and the citizens of Harwood Heights should hold you accountable for that lack of attendance.

Regarding the Finances of the Village, once again Trustee Jezierny was absent for the vote on the 2004 audit but came to the next meeting with comments on vote that she did not take the responsibility to be in attendance for. Residents should ask that trustees make their opposing comments known at the time of the vote, not two weeks later when it does no good. Trustee Jezierny obviously didn't fully read the minutes of the meeting she missed, because again, 2 weeks after the vote,

she asked: Why was the audit signed in August? Answer: Because that is when all the field work by the auditors was completed. Why was it not received until recently? I reported that in my report at January 12th Board Meeting, when Trustee Jezierny was absent. Changing to the new reporting GASB34 format, and problems with the reports that the appraisers did for us, which had to be redone, then the company had problems because the employees who worked on our account were no longer with the company. In my review of 2004, I see a deficit caused by the cash purchase of this building at $l.875 million and cash payments of $295,000 for 911 equipment paid for in the year ending 4/30/04 plus many other costs not covered by the $3.5 million bond issue tax levy, costs to Nepco alone were $3,659,000. The costs of this village building is up to 7 million in costs (and the documentation is attached as page #10 ---) the cost is still growing, recently the board approved heat for the Police Chiefs office, and the outside of this building needs work, the stone joints on the building are in terrible shape and settlement cracks are appearing all over the building, the roof will need to be replaced, do we let the building deteriorate, how much will this cost? These are obligations made in 2002 and 2003 by the majority of the prior administration that only Trustee Jezierny of this board was a member of. Bottom line - the village has been spending more than they receive in revenue and can't afford to pay the sewer charges, they must be passed on to the property owners. Once again this is not blame but fact.

I will certainly take responsibility for this administration, but we have taken on a great burden of past spending. And that I will make sure that these facts are known. Responsible decision making is using tools such as a special service area to help finance improvements. My goal is to get the village back in the black and move us forward.

I want to thank Clerk Larson for staying so late at our committee meeting again on Feb 1st, it was another long session with a lot of discussion.

Feb 22nd representatives from Walgreens will be in attendance at our computer classes from 10 to noon to show seniors how to buy prescriptions on line and help with the new drug program, I thank volunteer computer trainer Bill Heinzinger for scheduling this event.

On Friday Feb. 24th at 10 a.m. the Historical Committee will induct the first 6 people into a Very Important Resident Album. Please join us when we honor people who have volunteered their services over many years. These people are long time residents who have donated their time without hesitation or compensation. They have made Harwood Heights and our community a better place to live.
The 1st award inductees that are invited are Winnie LoMonaco, 25 years as Meals on Wheels driver scheduler; Don Hanson, 27 years assisting with village youth activities; Ralph Nystrom, former Civil Defense Director; two of the first volunteer Policemen, John Muka and Wally Sklarz, and Stan Gialo, social club member and youth organizer, refreshments will be served. Please join us.

I apologize for the lengthy comments, but quite frankly I am very disappointed in continual misrepresentation of facts and the improper use of the legislative process.

Harwood Heights is a Village, a community and we should be acting like one, ready to share the burden for the costs of the sewer fees that were imposed on us and we should all be together asking our state officials WHAT THEY can do to help us.
Please pick up new letters I prepared to send to the legislators asking for an amendment to HB5291 that would provide non-resident users the same discounts and senior citizens exemptions they offer their own residents and to work for passage of the bill this year.

**Finance**
**Trustee Alex**

One of the things that has come up very recently is that we have had a number of people say incorrectly and that includes one of the Trustees', that we are passing a tax on to our residents without documentation. The Mayor's asked me just to go through how the board came to this decision; it's become a big issue. I wanted to go through briefly page 2, if you could just turn to page 2, this won't take long. What we were faced with was a report; the City of Chicago was going to be charging us for about 1136 locations. They're going to charge us $9.65 and they said 51 locations had an 8" pipe they were going to charge us $36.12 a month. What was in the bill was a total of $153,654 each year. Now, we had another

cost in there because what happened is that these charges were running from 2002, for four years, from 2002 to 2005 is four years and through that time all we did was take the $153,000 and say look, for those four years you owe us $614,000. So really, what we had to do is we had to look at what are we going to be charged going forward, $153,000, plus what do we owe already and we have found that we can actually pay that money, other towns have been paying the City of Chicago on installment basis, so we were saying, look, more than likely we'll probably get the penalty waived there; we're likely to get some of the interest waived, but we're still going to owe about $664,000. So, if we take that over ten years, which other communities have been allowed to pay, that would be about $66,000 a year we would have to pay. And lastly, in that contract, buried in there, there's a section that says in the Chicago contract that the village has to pay to maintain these sewers. On our budget, we allocated $30,000 this year. So what you really have is $153,000 that we have to pay going forward every year, $66,000 that we have to pay in addition to pay off the old stuff and around $30,000 a year in costs to maintain the sewers; that's $250,000 a year. We said the total estimated cash would be $250,115 that we would have to spend every year. Now, the one thing that comes to mind is so what, so why doesn't the village just pay these amounts out of general revenue, why should we impose this cost on our residents? Well the short answer is because "we", all of us are the village; the village gets money from people. Trustee Jezierny previously mentioned that with the previous Mayor they came in under budget for spending, so what; not relevant, doesn't matter. What matters is that you don't spend more than you take in and we did. The Mayor showed you fiscal year '04 we spent $2.4 million more then we actually took in and the audit report for 2005 is going to show a deficit also. What the board was facing is, these are the costs the village couldn't afford to pay. The whole question is how does this get allocated? Is this a perfect allocation that the board came up with divine inspiration? No, we had to come up with a way of how would we allocate out these costs, we had to come up with $250,000. How ever you cut the pie, that's what we had to come up with. One of our residents, Mrs. White, suggested we bill all the households. Joan, you know this, we only have one meter that goes into a two-flat, a three-flat, a six-flat, there's not a meter for every apartment. Electric meters, they have a meter for every living space, they can bill easily every household; we can't do that, we have one meter. Even the condo associations, they have one meter going in. We don't know who lives in an apartment, we don't know if the apartment is empty; it was not possible for us to bill in that fashion. Some of the other things that have come up the Mayor discussed; possibly we would allocate based on how much water you use. But then you've got a family in the same $300,000 or $400,000 house that has maybe 3 or 4 people living in it paying 5 times the amount of a person next door, and that wasn't really fair we didn't think either. We thought, what about condos? If there's a large group of condos, there's a new development going up, 180 units, why not charge them 180 times the $9.65 Chicago's charging. But what we found is that most of these developments don't even go into Chicago and we're going to be charging them 1.8 million percent more than the City's charging. It's distortion, it 3, 4 times the amount of cost that would be in the realm of possibility; but 1.8 million is ridiculous. These are the things that the board had discussed; I'm boring you with all these details tonight because other people have said that we didn't discuss it. We have a whole package of information of how we made our decision; we just didn't come up with a number and I just wanted to relate that to everyone here this evening so that they would understand that there's no good way to paying money, especially $250,000. We had to come up with some way. Now, am I willing to hear another alternative? Yea, Trustee Jezierny if you will introduce a working way to pay this, to the Finance Committee; and me I'll introduce it, I'll have everybody discuss it; if we have to amend the ordinance, I'll change the ordinance if we can come up with a better way. If somebody can show us a better way, in fact if everyone could show us a way that we could come up with a method that wouldn't make anybody upset; I'd love to pass that ordinance. But it's not easy to do, because money is difficult to part with. That's really all I wanted to go through on that, but you'll see at the bottom we broke out the revenue at 2166 meters the monthly charge of $9.65 we come up with that $250,000, we balance. There's no extra money to say that "oh the village is imposing a tax, pocketing the difference and spending it", it's not. If there were no tax from the City of Chicago there would be no fee implemented by this board. You saw the bill for $851,000; I think it very irresponsible for someone to say we don't have our costs documented, there's a bill right there, that's you're documentation. That's really all I wanted to say on the methodology that we did for calculating the $9.65.

There's one other item that I wanted to explain a little more in detail, Trustee Dobrzycki and myself have introduced a plan to revise and update our condo conversion laws. The purpose of revising these laws is to recognize the changed economic and demographic realities that we now face. We're not on the cutting edge of reform in this area, Norridge has already revised its' ordinance to facilitate changing rental units into owner occupied housing. We have many aging multi unit rental buildings whose owners do not have the cash flow to maintain or upgrade their buildings. While the home prices in our area have skyrocketed, rents have remained flat and in some cases have declined; this factor hurts the value of rental property. I've asked the village engineer to work with our village architect and building commissioner to develop a framework of revising our condo conversion laws. The key areas that we will be looking at are the parking

restrictions, the utility service separation, storage constraints and minimum investment thresholds. I want to reiterate, this is not an overly ambitious plan; Norridge has already done this. We're not going to be creating more density or congestion; we're upgrading buildings that already are there, they exist, they have people living in it and many times they have a lot of people living in these rental units. Also, one of the benefits I think of this plan is that it will help many of our residents who are presently stuck, stuck renting in our village and it will help them realize the American Dream to buy their own place. Brand new condos they're nice, but they're probably out of the reach of most of our seniors and our hardworking residents who rent their housing. This conversion could be a chance for both groups of people to remain in Harwood Heights and still have an ownership stake in this community. If done right, it could be a win-win situation for all. I think this should be a significant priority after the development of the old village hall and therefore, I am urging the board tonight, to let's move on this, come on, we can do this.

**Ordinance/License**
**Trustee Dobrzycki**

Quick report on the Ordinance and License Committee, on tonight's agenda there's an item for approval, Ordinance 06-09, an ordinance regarding license fees. We have spoken about this and reviewed this before and speaking with members of the board, I suggest at this time that we table this for further review and bring this back at the following board meeting.

I also want to add comments to what was mentioned earlier. My time on the board here, this item about the sewer bill and the actions or inactions that took place, some people may know that after a long period of inaction the previous Mayor said that I should take over the matter at that time I received information and contacted the City of Chicago. The reply from the City of Chicago was that this was the first time that they had been contacted by the Village of Harwood Heights in a very long period of time. I did attempt the initial negotiations with Attorney Delort, our counselor, and that started the process and review on this. Also further, I do attend as many meetings as possible, in fact I've missed very few meetings over the years since I've been on the board and we did spend quite a bit of time speaking about this issue, going back and forth; ideas were tossed out, we were discussing, arguing, going back, forth and reviewing these items. I know that the Clerk was present at some of these meetings and other members of the board, it was not an easy choice to make or an easy decision to make. But it's a huge bill that we had to address, could not let it go on longer and those issues as many people disagree as to how these charges should be made, we need to progress and go forward.

**Public Works**
**Trustee Jezierny**

I must have hit a nerve at the last meeting. Basically there was a lot of information that Mayor Fuller and Trustee Alex certainly have alluded to and I just don't know where to start because it was so much. But I can certainly tell you that there was a lot of diffused comments and a lot of facts that were very not portrayed as very clear and were very misconstruing and twisted. I'm thankful that Mayor Fuller actually brought this packet of information, but much of this information is a lot of old stuff. It was stuff that we received back four years ago. The documentation that I'm looking for is something that's current coming from this board. I'm looking at seeing exactly where we stand with the exact price. Superintendent Tom Schroeder has been negotiating with the City of Chicago and has been in contact with people on that team and indicated the number of connections that we essentially did not have in the Village of Harwood Heights that were on the Chicago bill as specified here. So basically, the documents that you're receiving are inaccurate because it's not right currently. The other thing, there's certainly a lot of content that was said and it's hard for me at this point to answer every single allegation, every question of misconstrued information that was passed on. First of all, I have never said to anyone that I think everybody, condos, apartments, everything should be charged. I've had two residents call me and tell me what that was said by Mayor Fuller to them and that is incorrect information, because if you certainly read my documentation from minutes that was not said at the last board meeting.

I also do what to remind everyone that when I was the Chairperson of the Sewer Committee and initially received this documentation from the City of Chicago I was eliminated from the Sewer Committee two years after that and therefore the Sewer Chairman was Trustee Dobrzycki and George Alex was on there as well, and another member who is no longer here. Nothing was done about this bill and it sat in that committee as well. When I first learned about this and I said this again in prior meetings about the sewer bill or the information from the City of Chicago, I called an immediate meeting with the committee members and brought it up to the Mayor at the time. At that point, we have met several

times with the representatives of the City of Chicago looking for different options how this came to be. They had passed an ordinance in the City of Chicago and they stood firm that that is the connection fee that needs to be levied to our residents. They were open for opinions. For two or three meetings we gave them every possible option; "Well since we don't maintain our own sewers and Chicago maintains theirs should we lower the fee?" No, we can't do that. "Well, could we have a different payment plan and just go back to connections only, the main connections, not individual home connections and just increase that?" No, we can't do that. We asked them to provide us a list, which we have here, so that we can review the connections. Superintendent Tom Schroeder as I said, has been reviewing the connections. There was a lot of material that went on pertaining to this and like I said, Mayor Fuller was a trustee at the time said "we should just throw the bill out, we shouldn't even pay the bill". Which here we are today. Again, two years ago I was not on the Sewer Committee, I was taken off, and another thing that was a key element that took place here is that, yes, the previous Mayor switched over to different Village attorneys. We had hopes that these attorneys would go down to the City of Chicago and negotiate some type of payment structure and eliminate the penalty fees that have been going on because this document is not firm yet, because some of the connections are 8" connections that homes are not on, are are not firmed up. This board overruled him and assigned this duty to, at the time, the legislative attorney, Mat Delort of Robbins, Schwartz; so that left us kind of out in the open; and as of this date I really don't have a firm report as to what is the final bill from the City of Chicago for the sewer fees and the sewer connections. And yet, we're passing this on to our residents and we're also passing on a separate fee which is for maintenance of our sewers; so basically we're not only passing on the sewer connection fees to our residents, we're passing on a maintenance fee which they're hiding under the label of "we have to pass on the City of Chicago sewer connections" and that's not altogether true. Yes, I would like to work with this board and devise some type of idea where we could satisfy most people and make this fair along the way. I do think that just flat out saying "well we're going to pass out a charge to homes that don't have it, homes that do have it -- and no I'm not criticizing the east side, west side, because there are homes on both sides of Harlem Avenue that have the connections and there's homes on both that do not. So I think we should really do our due diligence, really sit down as a team and really take a look and see where we can do it that's fair. And if we have to do an excise tax to cover the maintenance charge, this is the documentation we need to tell our residents. To tell them that we're not only passing the fees along, but also that we're passing out a maintenance fee; I just want the people to know this. I don't see the need people to know all this background stuff of four years ago that's outdated information.

I will address most of these issues, probably in more detail at the next meeting, because there was a lot said that I do want to clear up; but at this time I'd like to give my update on the Public Works Committee:

Right now there are three projects that are now (finally) out for bid for Street Rehabilitation, Alleys and the Sideway programs. The bids were advertised in the IDOT bulletin beginning 2/2 and the bid opening is to be held on Feb 16 at 2:00 p.m. at the Village Hall

To recap the following streets are scheduled for Street Rehabilitation:
4900 block of Odell
7400 block of Argyle

The following alleys are schedule for repavement:
4200 block between New England and Newland
7500 block between Carmen and Winona
4200 – 4300 blocks between Newcastle and Oak Park
4300 block between Rutherford and Oak Park
and the alley that borders Senior Place/Rutherford/Montrose/Forrest Preserve Drive

In addition, there are 8,125 square feet of Sidewalk that will be replaced throughout the community.

It's unfortunate that the residents had to wait 3 years for these projects to finally get approved, with this Board claiming there were no funds. When in reality there is over $600,000 in MFT funds sitting in the fund account ready to be used for these projects. Back 3 years ago we had close to $400,000 or more. I do not have the documents right in front of me, but I can provide that. A large sum of money has been there all along for these improvements.

I keep hearing the criticism here of the Olcott project. On the Olcott project, the criticism I'm hearing is that the factories and businesses should have paid for that street and that Trustee Jezierny and Mayor Pabich spent all the money on

Olcott. Let me remind this Board, that when I was Chairperson of Public Work, we established a Master Plan Programming for the Sewers. One of the 2 projects that we tackled and succeeded on was the Oriole project and the Olcott project. We have also went on to coordinate the East side project to eliminate flooding by negotiating with Cook County and Pete Silvestri, Commissioner to sell us the property for $32,000 along Forest Preserve Drive so we could put detention in there. We have also negotiated with the Union Ridge School since they wanted the property that belonged to Harwood Heights. We would give them that property and in turn we would have easement rights to the park so we can put detention underneath the park just like Norridge Park has and eliminate a lot of the flooding and detained water so it is not going in your basements and onto streets. So, 2 of those projects are already completed.

The Olcott project was not a street-paving project for trucks. The Olcott project was a Sewer project -- a sewer project that had to be done because of the inadequate water detention and elimination. There was a sewer that was put in, because there was no storm water drainage. All the storm water was going into the sanitary sewers, which was against the EPA. So that's been done and cleared up. And, since the street was torn up we did widen it and made it better for the residents there, the school children there and the library patrons and businesses so we can all work together. So I hope that clarifies that.

On the agenda tonight are 2 motions: One, for traffic sign replacement, and the other for replacement and widening of the entrance gate to the Public Works area. This would allow for better truck clearance so that we can bring in the trucks for the weigh scale.

The Public Works crew has been out cold patching these past few days and salting streets and doing work on their Mapping Workroom which is now located in the new PW garage.

I thank you for listening and sorry this was so long.

**Mayor Fuller:**
Thank you, I just want to add a few additional comments here because Trustee Jezierny just confirmed that everything that's in here, that these documents are not correct because we do not have an agreement with Chicago. This is the bill and we do have the breakdown of the sewer and maintenance cost. And she absolutely knows how much sewer maintenance costs, because she did Olcott Avenue. The Village did Olcott Avenue and she knows exactly how much these kinds of things cost.

**Public Health & Safety**
**Trustee Mougolias**

I'd like to urge the board to concur with the Chiefs' recommendation to be involved in the agreement with Cook County. At the beginning of my term, I did attend the conference with the Homeland Security Department and the main thing about the conference was that Cook County wanted to connect all the municipalities together so that we can all help each other in some sort of disaster. A big topic there was that 911, there were a lot of problems that were caused by miscommunication and no communication between the municipalities and other law enforcement agencies and it did show us that how if we were connected how much better it could be and how much safer we could be; so I think this is a very important agreement.

**Forestry/Recreation**
**Trustee Schmidt**

No report for the Recreation Committee. On the Forestry Committee, when I talked to Bob Hendricksen from the Robert Hendricksen Company last week, he told me that he believed most if not all the tree work we requested was completed. He will be sending me an invoice soon. As of today, we still have not made a payment to him for the fiscal year; I told him, that I really need to get it before I work on the next budget.

**Sewer & Water**
**Information & Technology**
**Trustee Szlendak**

I'm the Chairman of Water and Sewer Committee; Trustee Jezierny, and I'm just going down the list, gave us a long list of the things she did not say, "I did not say that" and everything else, ok. What she is saying is we should be reviewing the bill that is presented to us by the City of Chicago; right now that bill stands at $814,000; $100,000 in interest, $100,000 in penalties. Trustee Alex assumes that some of those will be waived; right now our bill is $814,000, okay. What am I suppose to do about this? Do nothing in paying this bill or allocating the money for it and just add on the penalties? She would like to work with the board; I would love to have her work with the board. What she is saying is that $9.95 per meter is not a fair amount, ok; it's not a fair amount. What I would like to hear from Trustee Jezierny is what is the fair amount and how it should be billed, ok. I want to hear specific numbers, which households, how are we going to bill this if $9.95 is not fair, ok, ok. Joan White was kind enough to say "fine, let's charge every single household", ok; that's a firm proposal. I'd love to hear from all of the trustees, what is a fairer way than $9.95, ok; and who is supposed to be charged for it. The people that are only connected through the City of Chicago should pay the $814,000 bill, assuming that we're going to lower it. How are we supposed to pay this? And, I'd welcome; welcome you're input.

**Clerk's Report**
**Clerk Larson**

I have a couple of announcements; Operation Marine Angel, I don't know if you've noticed the big box out there in the hallway? There is a Marines' mother who is collecting items for people in Afghanistan. You can help by donating winter clothing and/or school supplies and they will be mailed directly to the Sergeant who will distribute the items to his Marines to pass on to the Afghan children. Items that are needed are winter clothing; hats, gloves, mittens, scarves, blankets, socks, long underwear (adult and children sizes). NO COATS. School Supplies; paper, pencils (NO PENS), coloring books, crayons, rulers, flash cards, Children's Backpacks, etc. Or you can send a cash donation to be used to purchase needed items, shipping supplies, and cover shipping costs. All donations should be sent directly to: Operation Marine Angel, c/o Shelly Collins, 11 South Testa, #304, Naperville, IL 60540. The Village of Harwood Heights has the box accepting clothing and school supplies here at 7300 W. Wilson until February 28th. We will not accept cash or check donations, send them directly to the address mentioned. And thank you for your support.

Come Golf with a Rotarian There will be a Family Fun Day for Norridge and Harwood Heights Rotary Club. It's a fund-raiser at the Putting Edge – an indoor glow in the dark mini golf on Sunday, February 26th 2:00 – 6:00 p.m. Ticket prices are $20 and youth prices are $10 (ages 4-12). Proceeds from this event will benefit us in our on-going effort to serve the Norridge and Harwood Heights communities, provide scholarships to Ridgewood High School students and support the mission of rotary service around the world.

**Attorney's Report**
Matt Delort: I would like to tie up a few loose ends that have been discussed. First of all, on the Ruth Waiukiewicz case, she did not file a lawsuit against the Village for back wages. There was no lawsuit filed. She filed a claim at the Department of Labor which is an informal process for someone who believer their wages were not properly paid. So it's a much less level of severity than a lawsuit and that was resolve in the Village's favor.

On another loose end, with respect to the prosecution calls, just to remind the Board and the audience, the Village is assigned to the Rolling Meadows courthouse for its traffic and ordinance cases. We have in a typical month 7 court calls that are assigned to us. A court call is a part of the day during which tickets are assigned. There are 3 court calls a day: 9:00 10:30 and 1:30. So we have 7 calls during the month at difference times. Six of those calls are the traffic and ordinance violations, which are mostly speeding tickets. Those have been and will continue to be handled by the Village Prosecutor. The 7th court call is housing court because under the new administration we have basically re-established that with respect to some of the problem houses in town. That is on a separate court call and that is handled by my firm, rather than the Village Prosecutor. So the Village Prosecutor unless procedures change, will not be handling housing court matters.

With respect to the sewer issues, I can't explain anymore of this, but I have to tie up a few loose ends here. It is true that even under the previous administration, I, my law firm were assigned to deal with the City of Chicago on this issue and we began that task in earnest some time ago. Working with the City of Chicago has been extraordinarily difficult in the sense that its not the earnestness or the responsiveness of the actual people we're dealing with, but the problem is they're inability to make decisions and they're level of authorization. And no matter what we ask for and discuss, they have to go to five other levels before they get back to us and therefore it's a very, very slow process. One of the main issue that is holding us up from trying to resolve it is the actual count of which sewers should /should not be allocated to Harwood Heights. We not talking about a big difference but we want to make sure we get it right, and get it right once so we're only paying for what we should be paying for what we should be paying and not paying for what we shouldn't be paying. And one of the attorneys on my staff, who is actually an engineer by trade, has been working with them along with our Village Engineer trying to resolve that, and at this point again we are waiting to hear back from Chicago again as to whether they finally agree with our list. So that has been frustrating, but it is not by lack of diligence on the Village's end, it's simply dealing with City of Chicago. We have every expectation that sooner or later the bureaucrats will have spoken. We will figure out what the list is and have an agreement to it and then we will know what we have to pay and if the City of Chicago follows suit with its normal process, we will expect that the penalties and interest will have a substantial and not a total waiver and we will have a fixed amount of what we would paying. But in the meantime, of course the Village has imposed to start collecting the fees as they go along. So those are the loose ends I'd like to tie up and I'd be happy to answer any questions.

## F. TRUSTEE COMMENTS

**Trustee Alex:** There is one thing I want to clarify tonight about. We do have support for these. Trustee Jezierny mentioned that this packet is old support because it hasn't been finalized. But page one. If everybody looks at page one. You got a City of Chicago bill. You start up in the upper left hand side, customer name; Harwood Heights. That's us; Trustee Jezierny. Service address: 7343 W. Lawrence, that's here Trustee. Account number, that's our account number. The notice date is January 5, 2006, that's current Trustee. Then there's amount that says amount past due, that doesn't say Oh that's the wrong old amount or doesn't say that's a future amount. That's the amount that's past due. $851,536.79. That's not approximate $800,000, it's not approximately $852,000 it's exact. We are liable for this right now. Now, we're going to negotiate and try to get it changed, but this is current. And by current, you mean we should have had something that said Jan 9th or February 9th, that's probably coming. This is current; we have documentation. If there is one thing that I just want to make sure tonight is that people know that we didn't just make up this tax. There's documentation right there. We owe that money.

**Trustee Schmidt:** I want to thank the Mayor for starting action on this thing. Many of us have been out in that audience listening to these charges are unfair, and who should be taking care of it and who should be, back and forth and everything. Something needed to be done. Rather than find out the true connection or not, this had been here for 4 years and it might have been a good place to start. I don't know. Are we actually connected at these places? It didn't seem like anything was being done until recently. I'm glad something is being done so that whenever this is corrected, we can go back and say these are the actual connections. The fact is that for 2 years, Trustee Jezierny said the report is old. Yes it is old, it's back to 2002. And the address is there I believe in 2002. That has not changed except 'til recently, from what I understand, when this is being clarified. But in 3 years, if you want to say that, nothing was done except you do it, no you do it, no you do it, no, you do it. Somebody needed to take control of this thing before this went up higher. Before, if I were Chicago, the penalties are there, you played around too long and now you're stuck. I would also like, somebody had mentioned, that when we had these Committees of the Whole we discussed these things back and forth. Also sometimes I might be talking to Trustee Mougolias about an issue or something like that, just to get his opinion of things like that. That's the way things need to be done, not after the vote. I would even ask, that if you're not at a meeting and you want to hold a decision on something, call the Trustees, send an email, whatever you need to do. Please pull it so I can discuss it, not necessarily we'll do it, but at least we know your intent, maybe why you want us to pull it. I'd be willing to look at those things and possibly pull it because for 2 more weeks I don't think the world will fall apart. But to not say anything and then come in and say I can't believe you did that without opposing or any other idea, this is want we had. We had a lot of discussion about this water bill. That is Trustee… a lot of different ideas were passed around and we came up with what we thought was the best. So, I would also ask, you mentioned you'd like to work with the Board, Well at a few meetings ago, there was a mention of Trustee Jezierny being on the Committee and having looked into some of these issues. I sent here an email, please could you give me a copy of this. Her reply from what I understand

now was it is public record and you could get it from the file. I don't know if you call that working with the Board, but personally if you ask me for something, I have it, I would be glad to give it to you or I would look for it because obviously I know what I'm talking about more than you will and then I will give you a copy of it. To me, that's working with the Board. That's discussing it among each other, among the group of us. So that yes you can still have an opposing view but its been discussed, we know why you're opposing it, we know what your ideas are, it doesn't work when you just come in and say I don't like it not really making decisions.

**Trustee Dobrzycki:** Once again to the balance of our counselor, to tie up a few loose ends. The matter of the sewer charge when I came on board I was not privy to that. The Village President at that time took charge of it. My question would be why after all that time did the Mayor officially give charge to that issue to myself. And why did after that long period of time I was made privy of that, known of it, kind of being tossed to the lions to call the City of Chicago and write letters to the City of Chicago. Also, it was mentioned that Trustee Jezierny mentioned that Superintendent Schroeder was negotiating with the City of Chicago. My question is under what authority and since when has he been negotiating with the City of Chicago? And lastly, in working together, the Oriole project, when a resident called me, who was disturbed that after living 25 years on Oriole and Argyle that he has learned that an electric three-phase wire will be hanging in front of his house in front of his front door. When that issue came about, and I brought it to the attention of the Sewer and Water Committee and the members of that where it had been mentioned. Also present were the other Trustee and the Village President Mayor Pabich at that time. When at committee meetings we discussed these items and I specifically went down not only the members of the committee but also the other members of the Village board that were present and I asked what are your suggestions? What are your recommendations, what else can we do? How otherwise can we do it? Trustee Jezierny you were present at the meeting and so was the former Mayor and at that time, you shrugged your shoulders and said nothing. Then at the following Board meeting, you make a presentation, caught me off guard, in fact slapped upside my head because I wasn't doing my best job because I wasn't' presenting facts to the Board and presenting facts to the residents. Well, that not only happened once, but happened twice. I can work with anyone, you come out and I specifically ask people to come out and bring ideas and suggestions and recommendations. I was just very upset that it wasn't done at the committee meetings when we could discuss those items freely.

**Trustee Jezierny:** I not going to elaborate too much, but first of all, I'm being accused of not attending meetings. Every member on this Board has missed a meeting. I told Mayor Fuller at the time that a very dear friend of mine was in the hospital with surgery and I told her ahead of time that I would not be able to make the meeting. This last committee meeting I missed because my father was in the emergency room all day and all night and I had to attend to that. Now, I'm sorry if I missed 2 meetings, but every time I do I make sure that I read up on everything that transpired at those meetings and all the documentation. Also I've asked this Board and committee that please provide me with the packet of information in my bin pertaining to the committee of the whole and I do not get those. So the only information that I have is the minutes of the meeting or if I can FOI the Clerk for a tape to listen to it in her presence and hear what went on at the meetings.

Don't misconstrue what I am saying; if I said Tom Schroeder "negotiated", I'm sorry I used the wrong terminology. Tom Schroeder was on the phone with members of the Chicago Sewer Department and has been working on this situation to find out what homes are not on the sewer lines. It's a terminology, if I said "negotiating" I meant "working with".

As far as the underground wires that you were referring to Trustee Dobrycki. First of all I worked 2 years on that Oriole project, you weren't even around and then you come at the last minute you wanted to make changes. Well, we already discussed those changes and I already discussed them with the resident. We make recommendation to bury the wire for under $9,000, but that wasn't good enough, you wanted to do it for $36,000 and that's when I threw up my hands. So that's when I had to come to the meeting and prepared some documentations with all the numbers to show that we could have it done less than $36,000 and if you spend $36,000 you would still be stuck with a wire up there anyway. So I do not want to get into that issue again.

I guess what I am trying to work with this Board that has been very difficult at times, but hopefully we can stop these arguments that go on at committee meetings. Because they ask me my opinion and instead they strick me down with all arguments as to why am I saying that, and why are you saying that. Well, it kind of makes you feel that your comments are not wanted. But nonetheless, I do give my comments, I do speak out, I speak out here and at committee meetings, and I do speak out when people ask me questions.

Mr. Schmidt wanted information on the documents of all this, I do not have documents sitting at my house right at my fingertips. They are all part of the records of the Clerk. I just directed him to go get the minutes from the Clerk because they are all there. And, they turn around and make it look like I'm avoiding something and it's not true because this is a very important issue and it's been lingering on a long time and I had nothing really to do with it for 2 years. There weren't really any committee reports going on or anything within 2 years. I don't even have an update on this stuff. Yes, this bill is current Trustee Alex, but this bill is still inaccurate because it doesn't show the actual numbers and I am hoping that will be done through our Attorney Matt Delort in some negotiation, somewhere. Because right now, I don't know even know what the Village is paying and I don't think any member of this Board does.

And yes, Trustee Schlendak, we do have to do something. I am willing to work with this Board; I just said that. So, let's put on our thinking caps and see if we can change the ordinance or do something. All I'm saying if you're charging every household $9.65 (it's not $9.95 it's $9.65) that is unfair, but you are incorporating and getting more money in than what City of Chicago is charging us for maintenance fees, well then you need to install a special tax for maintenance fees. (**Trustee Alex:** you're wrong) That's not wrong because Chicago includes their maintenance fees within the $9.65, Chicago maintains their own sewers. **Trustee Alex:** Why don't you read the contract.. **Trustee Jezierny**: I have read the contract over and over again. The $9.65 is passed on by the City of Chicago to us for connections; I think we are beating this over the head.
**Mayor Fuller:** We are going to move on.

**Trustee Jezierny:** My further comment, I just want to say upfront and ahead of time I going to be pulling on the consent agenda #1 and #2 because after what I just heard about the information about what's going on with this political alley, this is some who worked on political parties, this is somebody that's been paid. I understand, because this is something that Mayor Fuller criticized because in the past administration, she fought against political jobs and I feel that we are doing much of the same here. I am not going to vote no against it, because I am not saying this person is not unqualified, but I just fear that we are putting too many patronage jobs in place and I will abstain from this vote and I am explaining why I am abstaining from this vote.

And the other point, on #1 too and I am saying all this ahead of time so the Board knows, and I am going to avoid voting for that issue because I do agree that this Advisory Board in the special service area should be an independent Board, I believe that these people have businesses in this Village and residents here that they can sit down and discuss how the proper billings should go as a recommending body. I do not feel that there should be any interference by members of this Board, because this Board is going to hear their recommendations and vote the way they want anyway. So at least give these people an independent opportunity to speak. And if they need the Board's help we can certainly intervene when we're asked. And that's my reasons for abstaining on these two items.

## G. SPECIAL COMMITTEE REPORTS

**Trustee Schmidt**: Youth Commission: Registration for the Youth Commission Volleyball and Gymnastics program will be held this Saturday between 10:00am and 1:00pm at the village hall. The volleyball program will start Tuesday, February 21st and gymnastics will begin Thursday, February 23rd. You also may register for each of the programs on each of their respective nights at 6:30pm.

I would like to mention that every year it seems to become harder and harder to get volunteers to help with the programs. The programs end up costing more money when we cannot get the people we need. The Youth Commission members can only do so much. The Youth Commission is always willing to welcome parents or anyone wishing to volunteer their time. Volunteers can help by either coaching the teams or just making sure that the children are safe. As the enrollment grows for the programs so does the need for this help. So I would like to ask anyone interested in helping with the Youth Commission programs to please call the village hall and let me know. The future is the young people of today and we can help influence it.

## H. APPROVAL OF MINUTES

**Motion by Trustee Alex, seconded by Trustee Szlendak**

Regular Board Meeting held Thursday, January 26, 2006

**A roll call vote resulted as follows:**
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

## I. CONSENT AGENDA

**Motion by Trustee Alex, seconded by Trustee Mougolias for Consent Agenda items:**

**Items I 1 & I 2 pulled by Trustee Jezierny; I 18 Tabled by Trustee Dobrzycki for further review**

**Motion by Trustee Alex, seconded by Trustee Mougolias for Consent Agenda items I 3 - 17 & I 19:**

3. To approve expenditure, not to exceed **$3,300.00**, payable to Northern Illinois Police Fire Alarm System for 2006-07 Emergency Services Team Assessment.

4. To approve expenditure, not to exceed **$1,360.00,** payable to Quill for 500 Maxell HGX Gold VHS T-120 Video tapes for Police Department.

5. To approve expenditure, not to exceed **$5,122.00**, payable to F.O.P. Legal Defense Plan renewal for 26 members for Police Department.

6. To approve expenditure, not to exceed **$2,507.28**, payable to Pioneer Transmission Service, Inc. for repairs to truck #6 1998 Chevrolet dump truck for Public Works Department.

7. To approve expenditure, not to exceed **$1,096.55**, payable to Hall signs for the replacement of traffic signs where needed.

8. To approve expenditure, not to exceed **$4,485.00**, payable to Video Masters for installation of three new cameras, moving an existing camera for Security System for Water Department.

9. To approve expenditure, not to exceed **$3,755.00**, payable to United Fence (the lowest of 3 bids), for the widening of the entrance gate for the weigh scale and Public Works Department.

10. To approve expenditure, not to exceed **$739.00**, payable to Illinois Municipal League for membership dues beginning 03/01/06 and ending 02/28/07.

11. To approve expenditure, not to exceed **$700.97** payable to Andy Skyba for reimbursement for cost of awards and party materials for the Youth Commission Soccer program pizza party held December 7, 2005 and costs of Santa suit, gifts and food for Youth Commission Christmas party held on December 15, 2005.

12. To approve expenditure, not to exceed **$100.00**, payable to Scotty Rein for officiating and scorekeeping at the Youth Commission Dodgeball program.

13. To approve expenditure, not to exceed **$300.00**, payable to Gopher for 16 hockey sticks and one dozen hockey pucks for Youth Commission Floor Hockey Program.

14. To approve expenditure, not to exceed **$795.00**, payable to U.W. Madison, Department Engineering Professional Development, College of Engineering for attendance of Paul May in the Water Storage Tanks, Operation, Maintenance and Rehabilitation Course #H259 from February 28th to March 1, 2006. Reimbursement of expenses pursuant to Ordinance 99-07.

15. To concur with Mayor Fuller's recommendation to hire Ewa Kielar for part-time temporary office clerk at a salary of $8.50 per hour.

16. To waive 36.3% of permits fees for the Eisenhower Library development project at 7350 West Wilson Avenue. All other cash bonds, inspections fee, etc. are to be paid in full.

17. To authorize Mayor Fuller to enter into an Intergovernmental Agreement between the County of Cook and the Village of Harwood Heights for the Provision of Wide Area Network Equipment and Connectivity and to approve an initial expenditure of **$8,600** and to annual payments of **$3,300** beginning November 1, 2007 to be paid each November 1st for the term of this agreement, subject to reasonable increases by the County.

19. To approve Donut Days, Friday and Saturday, June 2nd and 3rd, 2006 for The Salvation Army fund raising and Christmas Kettles, from Friday, November 17th through Sunday, December 24, 2006 for the Salvation Army Fund raising event.

**A roll call vote on Consent Agenda items I 1, I 3 & I 5-16 resulted as follows:**
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

**MOTIONS WITHDRAWN FROM CONSENT AGENDA**:

**Motion by Trustee Szlendak, seconded by Trustee Mougolias**

1. To concur with Mayor Fuller's appointment of Ellen Raymond as Village Prosecutor effective February 9, 2006.

**A roll call vote on Consent Agenda items resulted as follows:**
A YES: Trustee Dobrzycki, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN: Trustee Alex, Jezierny
ABSENT: Motion Carried

**Motion by Trustee Alex, seconded by Trustee Szlendak**

2. To concur with Mayor Fuller's recommendation for the following members to be appointed to the Special Service Area Advisory Committee for a term ending 4/20/09 as follows: Mayor Fuller, Daniel Johnson, Bobby Zitella, Gary Cirone, Bill Gleason, Rodney Jones, Robert Maloney, Frank Scavelli, Chester Markiewicz and Rose Cirrincione.

**A roll call vote on Consent Agenda items resulted as follows:**
A YES: Trustee Alex, Dobrzycki, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN: Trustee Jezierny
ABSENT: Motion Carried

**MOTION TABLED FROM CONSENT AGENDA FOR FURTHER REVIEW**

**Motion to Postpone by Trustee Dobrzycki, seconded by Trustee Szlendak**

18. To adopt **Ordinance 06-09**, an Ordinance Regarding License Fees.

**A roll call vote on Consent Agenda items resulted as follows:**
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

**J. NEW BUSINESS**

**PAYMENT OF CURRENT BILLS**

**Motion by Trustee Jezierny, seconded by Trustee Alex**

1. To void check **#40166** in the amount of **$447.93**.

A roll call vote resulted as follows:
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

**Motion by Trustee Dobrzycki, seconded by Trustee Alex**

2. Payment of current approved bills in the amount of **$62,538.44,** as they appear on check register **#40184** thru **#40262.**

A roll call vote resulted as follows:
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

**Motion by Trustee Dobrzycki, seconded by Trustee Alex**

3. Transfer from Parkway General Savings Account in the amount of **$120,999.75** estimated to Parkway Bank Payroll Account.

A roll call vote resulted as follows:
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

**Motion by Trustee Alex, seconded by Trustee Szlendak**

4. Electronic transfer from Parkway General Savings Account in the amount of **$10,136.42** to the IMRF Pension Fund.

A roll call vote resulted as follows:
A YES: Trustee Alex, Dobrzycki, Jezierny, Mougolias, Schmidt, Szlendak
NAYS:
ABSTAIN:
ABSENT: Motion Carried

**K. OLD BUSINESS**

**NONE**

**L. CORRESPONDENCE**

**NONE**

**M. OTHER NEW BUSINESS**

**Ellen Raymond sworn in by Clerk Larson**

**N. TRUSTEE COMMENTS**

**Trustee Dobrzycki:** Previously, at the beginning of the meeting, Trustee Alex mentioned about procedures where trying to motivate and trying to proceed with changes in our zoning and building codes for the condo conversions. I just wanted to add that when I first moved into Harwood Heights, living in an apartment and then a two-flat and then purchased a single family home with my wife, the street that we lived on, Sayre, the two and three-flats down the street were almost all occupied by the owners. Every person who owned a building lived in one of the flats or one of the apartments in the building. Now, today, my one neighbor no longer lives in his three-flat, the next neighbor to him does not no longer live in his three-flat, thankfully he lives in Norridge so if there's a problem I can call him and he can come up. The building next to that, the owner doesn't live in the three-flat and I could go down the entire street like that. The concerns are, and not only in the three-flats, but in larger apartment buildings, that as the owners move away, and some of them are quite far away, some of the buildings are kept up quite well, other buildings are not. And the opportunity for those people as Trustee Alex mentioned to buy an apartment or buy a unit I think is very encouraging because I believe that ownership brings some type of responsibility as well as respect for the property that they own, so I would like to see that happen. And if we follow other municipalities like Norridge and Park Ridge, maybe we can learn from their mistakes and their errors and their implementation of this law.

I also wanted to mention a personal point about working with people. I had written a memo to then Mayor Norb Pabich and as anyone who types might know that m and b are very close on the keyboard; I also use a spell checker when I write my memos. I wrote the memo and sent it to the Honorable Norm Pabich; it was Norm. I had asked several questions in that memo. I received my memo back with the item circled and I was reprimanded that I showed disrespect for the Mayor for misspelling his name. He didn't answer any of the questions. When I wrote an apology about that, saying that maybe the spell checker, maybe when I was typing it I mistakenly pressed the b instead of an m and I asked for a response to my questions. Well, I'm still waiting.

**Trustee Schmidt:** I want to finish up with some of what I talked about earlier with one; basically, I am sorry that I asked for the information. I guess I was naïve enough to think that Trustee Jezierny had mentioned this issue of the sewers in her meeting and the fact that we had been discussing this for about a month or knew that it was going to be discussed; I

thought maybe she had a copy with her and that she had looked at it, and to come to the meeting to discuss what she had worked on before. I realize now that she didn't and I will pursue looking into getting my own copy of it to see what was talked about.

There was a comment made about the, I think somebody called it the truck street. I was out there in the audience when there was discussion about this "Truck Street". I remember, I think Trustee Jezierny said the street was paved; yes it was paved but I believe at twice the cost or more because they had to reinforce half the street with some big cement whatever. I remember being at a meeting when this was being discussed and the cost was being discussed and there were two business people that are on that street, one of them I asked if he would mind if paid a little bit more and he said "no, if it's there, I wouldn't mind at all". Another businessman though in fact declared, "I'm not paying another dime for this street". Opinions, opinions! Unfortunately, the company that said they would be willing to probably pay their fair share, I believe has left. I sort of joked around and at the time that this brick street to Oz land, because if both of those companies left we had a wonderful paved street that the village paid for where that money, you're right, could of went for some other streets to be repaired. But instead, it went for this wonderful street with brick to hold the trucks for these two companies, one of which has left; and maybe there's even another company there now. All I know is that at that meeting there were two representatives, one that was willing to even pay part or some for that street. It's a shame we did not take them up on it. I don't think I've ever referred to it as "Truck Street" at the meeting, but if I were to, I might call it "Truck Street".

**Mayor Fuller:** I just have to add to that, because that gentleman, who refused to pay a cent, is the one who ended up paying thousands of dollars to the Jezierny/Pabich campaign.

**O. EXECUTIVE SESSION (IF NEEDED)**

**NONE**

**P. ADJOURNMENT**

Motion by Trustee Alex, seconded by Trustee Szlendak to adjourn. On a voice vote, all being in favor, the motion carried and the Regular Meeting of the Board of Trustees of the Village of Harwood Heights, was adjourned by Mayor Margaret P. Fuller on Thursday, February 9, 2006 at 9:45pm.

Respectfully submitted,

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Dianne H. Larson, Village Clerk