

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD ON THURSDAY, AUGUST 28, 2008**

A. CALL TO ORDER at 7:30 pm by Deputy Clerk Marcia L. Pollowy

B. ROLL CALL

Mayor	Margaret P. Fuller (Absent)
Clerk	Dianne H. Larson (Absent)
Deputy Clerk	Marcia Pollowy
Trustees	Mark Dobrzycki Michael Gadzinski Arlene Jezierny Demetrios Mougolias Therese Schuepfer Lester Szlendak
Attorney	Paul Stephanides

Deputy Clerk Pollowy asked for a motion to appoint a Temporary Chair in the absence of Mayor Fuller. Motion by Trustee Mougolias, seconded by Trustee Schuepfer to nominate Trustee Jezierny, as Temporary Chair; all in favor.

C. PLEDGE OF ALLEGIANCE

D. PUBLIC COMMENT - Upon recognition to speak by the village president or acting chairperson, the person shall rise and state his or her name and address. An individual may speak for himself or herself or as a representative of a community group. No person shall speak longer than three minutes unless specifically authorized to do so by a majority vote of the board of trustees. The three minute time limit will be measured by a person selected by the village board. Thirty (30) minutes of meeting time will be the maximum time allowed for public comment. This according to Village Code, Section 2.12.090, Section D.

Joan K. White, 7429 W. Winona: I would like to ask for a few more minutes beyond the three?

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak; all in favor.

Joan K. White: I wrote my thoughts down in this tense, I was speaking directly to the Mayor; I will continue reading it in that vein as though she were here.

Mayor, you are the only village administrator. Upon several occasions, you made it clear that the job of the trustees was to legislate, to create and pass ordinances, and that it was your job to administer the rules overseeing all departments.

For the first two years of office, Mayor, you were willing to work with the Finance Committee, the other trustees and department personnel, in putting together information for creation of the annual Appropriation Ordinance. Last year, however, with several new trustees on the board, you chose to show a different approach. Both last year and this year you met alone with Department Heads, and developed your own version of appropriations. And both last year and this year, you gave us veto messages after the trustees passed their ordinances; you gave us your veto message.

A few months ago, you proved to all of us, and apparently carried the support of the attorney and judicial counsel, that you had the privilege of saying anything you wanted at a board meeting, truth or not truth, and would not be held responsible for the content of your statements. It was never made clear, however, if this same ruling applied to all your veto messages, as well.

In the past, I would hear your veto messages read here and then take copies home and file them. This time, with your veto of the Appropriation Ordinance, I took your veto message home and read it carefully. After doing so, I have a few questions and comments.

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I honestly do not understand how this particular veto message could be considered proper legal action because your accusations are not based on truth. The 2nd paragraph of this message mentions several times that money was being transferred into the SSA Bond Proceeds Fund, and if this were the case, it would be something against an ordinance. But, I learned this was not the case; this was not true. And I learned this by looking at the revised copy of the appropriation which you yourself attached to your message. It appears by reading this copy which you attached that no illegal action was proposed. Next in your veto message, there is a paragraph which infers some impropriety in charging the Water Department for their share of office expenses. This to me certainly shows you are not familiar with many past appropriations, or with the auditors' annual Management letters which give suggestions for better, more proper procedures to follow in financial record-keeping.

The Water Department is definitely a business operation of the village; it's a Proprietary Fund. And as such, all charges proper for running a business should be paid with Water Revenues. Cost of telephone, office supplies, clerical help for water billing, clerks for collecting the money, making daily deposits for the bank, doing bank reconciliations, answering water questions and complaints; even attorney fees, engineer fees, and auditing costs; anything that relates to normal business operations.

All other paragraphs of your veto message are your personal opinion as to amounts that should be appropriated. And, instead of meeting and verbally discussing you opinions, you chose to create a veto. These opinion paragraphs hardly seem cause for a Mayoral veto.

For these various reasons, I personally don't think this veto message should be accepted as legal action. You try to accuse trustees of doing something "illegal" but the evidence you present, the revised copy of the Appropriation Ordinance which was passed, clearly shows otherwise. And all other dollar comments, as well as other remarks, political and personal, seem to be of total arbitrary nature, with nothing substantial.

Michael Holzer, 4337 N. Newcastle: I had some questions for the Mayor and some comments and in light of the fact that she's absent; I will withdraw my request to speak.

Christine Holzer, 4337 N. Newcastle: Michael and I have lived at this address for approximately 18-years and I'm here tonight to speak about the sad state of affairs on Newcastle Avenue. I think that someone has dropped the ball. First of all, the property next door to our house has been a sore spot for a while; there's an apartment building with 6-units or more, then there's a lot next to it. It used to be quite nice; there was a yard there with trees growing, sidewalks, kids playing, pool, what not. The owner decided that he wanted to sell that piece of land; so he removed the trees, he removed the sidewalk; he did a lot of changes to the property in order to sell it. The property was sold with an encumbrance on the property; somebody dropped the ball. It should not have been sold with an encumbrance on the property. So now that property is empty, can't be built on, can't be developed; couldn't have been developed, let me change that.

It went through some transactions here and it was approved recently for building on that piece of land. Shortly thereafter, we thought this is great, we're seeing some digging being done in the front lawn of this property, and they must be getting ready to put a nice house or building there. That was not the case. The case was, cement blocks with huge fiber optic units. Somebody dropped the ball.

Permits are submitted by AT&T to put these boxes in; it's been documented that they have to get permits. Somebody dropped the ball. It was either approved to put them there or ignored, and the boxes went in. Other villages had denied placement of these boxes and had worked with AT&T to relocate boxes; it's been documented. Someone dropped the ball and now we have these huge ugly boxes on our front lawn. Stop denying this happened. Stop trying to cover it up or to transfer the blame. Stop dropping the ball. If you are not upset or embarrassed by this situation that's okay, there's plenty of us out here that are. What is being done to get these boxes moved? Don't say "I don't know" or "nothing." Please say something is being done and stop dropping the ball.

Roy Schmidt, 4336 N. Rutherford: Why does the board continue to change the subject instead of answering questions? There was much talk at the last meeting about why the Mayor keeps calling the transfer of funds from the MFT Funds to the General Fund, interest free. First, this was a loan and second it was interest free. But the real question is why and why now. At the recent finance meeting, the chairman mentioned that the action was taken because it was suggested by the Treasurer to help prevent a possible cash flow problem.

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Does this really avoid cash flow problems or just put the problem in another budget line; this will leave \$100,000 in the MFT Fund. Last year we spent \$160,000 and costs have gone up. The Mayor mentioned that we have a confirmed \$100,000 grant for the street project. The village usually has to have matching funds to use the grant. Not using the grant is like throwing away money. What projects will be cut back?

Someone at the finance meeting also suggested, maybe it was the treasurer, the board needs to think of ways to increase revenue. Where is that vision? It seems the board has more time to think of ways to attack village employees then get serious about the business of finance. Practically every village, state, school district and company has to face up to the challenge of increasing costs. And these entities are thinking and acting on ways to accomplish that. Even residents have suggested ways to increase revenue. But our board decides to bandage it by just moving money around. I believe the Mayor had a balanced budget with the money still in the MFT Fund. Yes, there is a reason for moving the money around; but, it is not because of a cash flow problem. The reality is that there still may be a cash flow problem.

At the last meeting Trustee Szlendak said that I should apologize to Trustee Jezierny regarding my comments about the payment of glasses for an employee. Here is another change the subject. Let me remind the trustee that I asked the board why the board was considering this payment and if the village had a vision program. There would have been no issue if there had been no request for payment in the first place. And there would have been no issue if the board had not approved the payment. Maybe the office staff could have been working on this issue with the drivers if Trustee Jezierny would have communicated that she was working on this. The board didn't even seem to know what Trustee Jezierny was doing. Does the board communicate with each other? Maybe the board should apologize to the residents for wasting their time listening to the board about this subject when it never should have been approved in the first place. And on a more personal level, I think Trustee Szlendak should look at his own actions before he suggest anyone else apologize.

Trustee Szlendak also mentioned that I said the board should go out and talk to the people. I may have said that, but the important part is to be honest when you talk to them.

And lastly, I would like to ask if Trustee Dobrzycki ever received the information he requested from the Legislative Attorney? Or was the attorney told only to respond to the chosen ones?

E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY

Mayor's Report
Mayor Fuller

No Report - Absent

Information/Technology
Trustee Dobrzycki

Report of the Information & Technology Committee; I have good news for the village. You might have seen the large sign at Harlem and Carl Cassata Drive announcing that Burlington Coat Factory Department Store will soon be opening up in town. The building that housed the old Value City Store will soon be undergoing remodeling to accommodate the new and improved Burlington Coat Factory Store; the Property Manager has contacted the village's Building Department with their plans. Also, the Property Agent is in the process of getting a letter of intent for an additional business to occupy another part of the old Value City space. It will be leased to another retailer who at this time is not being disclosed. This is a new source of revenue for the village if this would be a brand new store coming into the village.

The new wireless communications between the pump house and the water tower is almost complete and the Public Works staff did most of the labor and will complete the technology portion shortly; this will be a big help when storms, as we just recently had, occur.

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I was not able to make the Roadside Safety Check, but after making several phone calls, I found out that last Friday even though the traffic was very light the police made three arrests and stopped 358 cars and wrote up 39 violations. Another Roadside Check is scheduled for this Friday. This was made possible through Chief Podosek's recommendation and obtaining a grant with the Mayor's assistance. The grant is sponsored through the Illinois Department of Transportation and the funding is provided through the Federal Transportation Authority to address proactive ways to reduce traffic fatalities relating to impaired driving. Through this new initiative, the Chief of Police started the program over three years ago and it's fully funded through the grants. For the month of July \$8,000 was collected for impound fees and as of May 1st of this year \$23,500 in impound fees have been collected for 53 vehicles.

Also at this time there have been two property sales, one condo and one home.

The update on the streetscape project, the Mayor passed this information along to me; Comcast is scheduled to begin their work the week of September 8th. In order for them to complete the underground connection a Comcast outage is tentatively scheduled, and this is very important, to occur for about 2-hours between 12:00am, midnight and 6:00am on Friday, September 12th. This outage will affect phone communications including 911 Emergency Service to any customer carrying Comcast Digital Voice Service over the internet. The outage area boundaries are Foster Avenue on the North, Sayre on the East, Cullom on the South and Overhill on the West. They will do their best to try to keep the outage to a minimum; both the Police Department and the Public Works staff have been notified.

Also, the Mayor passed this along to me; as in previous years the NYA Football is asking for our support and our residents, in the amount of \$40 per player registered to the program from Harwood Heights for the 2008 Football Season. Harwood Heights doesn't offer a Football Program and this has been a very popular sport for our families.

I also; it was kind of interesting the comments that Mrs. Holzer made. Today, I attended a meeting for public officials at the AT&T Headquarters on West Randolph Street, it was held by Mr. Marc Blakeman, Regional Vice President. He specifically said at this meeting that the boxes, the U-verse boxes; their locations are determined by their phone network. Ideally, the boxes would be placed next to cross boxes; that's where the telephone service interconnects. And at the worst, they would be stationed 300 feet from that cross box. They can service up to 3000 feet from the box, so the determinations are made by their engineering staff. I also wanted to read a part of an article that appeared on page 2 of the Chicago Tribune in the Business Section on Sunday, August 24th and this is in reference to this U-verse system throughout the United States. And, the second half of the article specifically mentioned communities here in Illinois and it said, "A resolution has yet to come to Geneva, Illinois," a resolution meaning it tried to determine the outcome, "where Mayor Kevin Burns is furious with AT&T. A few years ago Geneva passed a 180-day moratorium that effectively stopped installations of AT&T's U-verse cabinets. The phone company sued Geneva and six other Illinois municipalities for restricting its plans. AT&T claimed it had the right to use public rights of way for its telecom network. Burns said his city merely wanted some say, "If we were going to have our landscape dotted with refrigerator-size boxes, we should have some control over them," Burns said. The state of Illinois passed a law last year fast-tracking approval for cable rivals to enter the pay-TV market, stripping away much of the clout wielded by municipalities. Burns said Geneva responded by giving AT&T necessary permits for installing U-verse boxes months ago. Yet AT&T has not begun offering U-verse in Geneva and is still suing the city. An AT&T spokesman would not comment on the lawsuit. In Springfield, Illinois, AT&T has agreed to pay the city \$1,500 for each of the 75 to 100 U-verse cabinets it plans to install. The money will be used for landscaping that can make the boxes blend with the environment, said city spokesman Ernie Slottag. AT&T has also recently installed about 120 U-verse boxes in Santa Rosa, California. While Santa Rosa had limited say on the cabinets units that go into the public way and easement, like Illinois, California passed a similar fast-track video franchise law. The representative from the city said, "We didn't theoretically have the ability to say no," he said. "We asked them to move certain locations and they voluntarily did."

And that goes along with the meeting that I had today. Basically, they're pretty much limited by their technical scope as to where those boxes go. They first determine what areas are probably most likely to have subscribers; then they check where the cross boxes are, they would like to place them next to the cross boxes or as close to as possible but they could be placed up to 300 feet. And as was told to me by our attorney and also confirmed, they pretty much have a say where those boxes go. So, we can make suggestions but if they say "no, we can't technically do it," they get to place the box where they would like to place the box.

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Forestry/Recreation
Trustee Gadzinski

Reporting from the Forestry & Recreation Committee; the tree company Hendricksen has kept an on-going effort to keep up with the lists of trees that need to be cut, trimmed or removed throughout our village.

Motions I-4 & I-5 on the agenda are the costs for trimming and/or taking down specific trees that need immediate attention. I strongly believe these services are needed to reassure residents their safety and to make sure none of these branches fall on their homes, cars or even people walking by. I encourage the board to support me on these motions.

Reporting from the Youth Committee; many fall Youth activities will be beginning next month and run through our fall months. These programs include Volleyball, Bowling, Gymnastics, Soccer, and Basketball which will start the second week of October.

The youth commission has also set a tentative date of October 26th to hold a Halloween party for all program participants.

I will keep everyone informed about the programs, and you will be notified as to any changes that may occur.

Also on the agenda motions I-6 through I-13 pertains to the youth programs and all necessary supplies and tee-shirts needed to run the programs.

Just a quick comment; please remember school is back in session. There are lots of children walking to and from school. Please keep your eyes open, obey the speed limits and drive safely through our streets and the same for any other communities and cities you may be driving through.

Public Works
Trustee Jezierny

I guess at this point I can give my comments regarding Public Works as a trustee. I just wanted to say that my comments regarding Public Works are relatively short but they are working for you around the clock. They had been attending too many of the trees and shrubs, preparing them for pathways for the school children, once they started school. They're also working on a number of tree branches that they can get to, as Trustee Gadzinski indicated that our forestry company, Hendricksen, is also observing and looking at the other trees.

They are also going out there, paving roads and if you see any potholes please report them into the Village Hall, call 867-7200; an official memo will be sent to the Public Works area so they can come out and attend to those roadways.

They are continuing to put in the meters along the 7400 & 7500 blocks of Foster and Winona; so that is continuing.

At this point I just wanted to indicate that there was a RedSpeed meeting which had an attendance of about 50 people who attended. There was a representative from RedSpeed that really explained the issues of what we're trying to achieve in our community and also indicated that Cook County is now looking into getting this permit to go ahead and put RedSpeed and lights throughout Cook County. There were a lot of questions and answers and I think it was very well received by the people.

Also, last week Friday, there was a Roadside Check for DUI's and a number of other regulations that the police were observing. I was onsite observing this Roadside Check, there were about 12 officers out there and they were really working hard pulling over just about all the traffic and they were doing a great job.

I also attended the Finance and the Ordinance Committees which I will let the Chairs of those report in; but we did discuss the appropriation budget and various items of the ordinances, some of which are on the agenda today.

In regard to AT&T, they have been at our board meeting, the August 14th board meeting and we had a chance to talk to some of them after the meeting and basically that they are willing to work with the municipalities and they are willing to work within a radius of 300 feet which they said. Having boxes in front of a parkway that's just about facing your front porches and front windows is horrendous. I don't think I would like it or any member on this board would like it.

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We didn't know about it at the time. But the good news is, what they had indicated to me, is that they are willing to try to move those boxes and they're working on that; that is what they told me, so that is good news. So I just want to report that.

Public Health & Safety
Trustee Mougolias

First, I would like to thank the Mayor and the Chief for, even though they don't supply me with the information on the Roadside Safety Check, they did have the courtesy to supply Trustee Dobrzycki with it. I would also like to point out the cooperation to resident Roy Schmidt, who keeps coming to the meetings and talking about cooperation; who likes to work together, I'd like him to see a good example of the cooperation we get.

I did happen to attend the Roadside Safety Check; I was there from 10:30pm to about 2:30am in the morning. The officers there, I would like to commend them on the good job they did. They did pull over, over 300 cars, there were 3 arrests and no DUI's; which some people in this village are upset that the DUI arrests are down, but to me I find that very exciting and I'm very happy that they're down because that means our officers are doing their jobs and people are not driving drunk through Harwood Heights, so our streets are much safer. We can go to sleep and not worry or drive and not worry that we will get hit by a drunk driver because they're not coming through Harwood Heights. They did pull over, over 300 cars and as Trustee Dobrzycki's said, they had 3 traffic arrests and many violations; many tickets were given out for violations that did not call for arrests.

Also I would like again to commend the officers because there were some people that were pulled over that were very irate, very loud and the officers all kept their composure and were very professional and in my opinion did a very good job.

Also, regarding the garbage, we did have our Big Garbage Day Pickup on Saturday. It was to help any residents that flooded or in the past rainstorms at the beginning of the month. I did put a call into ARC yesterday, actually Tuesday, to try and get the totals on what was picked up, what was collected and how many hours they spent; I have not received a call back, I don't know if the Mayor had received any information.

There will be a Roadside Safety Check tomorrow, on Friday, this weekend again in the same area on Harlem at Lawrence. The officers will be out there again from about 10:30pm until 2:30am in the morning. I will most likely attend again tomorrow. I did see last week Trustee Gadzinski and Trustee Jeziorny and I'm hoping to see anymore trustees that would like to attend. It's a nice experience and you can communicate with the officers and first hand see the job they do.

Ordinance/License
Trustee Schuepfer

The License & Ordinance Committee met last week and we had quite an active meeting and you can refer to the agenda items I 19, I 20, I 21 and I 22 were all addressed during that meeting.

Just a quick review; I 19, proposes parking for the west side of Oketo on Thursday only, this is the 4700 block. The residents on that block asked repeatedly for relief and we were able to accomplish this after discussing it for several months. Likewise, that same block had a request for stop signs located on the north and south bound flow of traffic on Oketo at Leland. This is especially important now given the opening of the library, we have more and more children walking down Oketo and as Trustee Mougolias mentioned to me prior to the time that I was a trustee, that a study had shown that Oketo was one of the busiest north and south bound streets in the village. So, it would be a good idea to in fact slow traffic down in that particular area.

I 21 is an ordinance that addresses the position of the Public Works Superintendent and I'd like to talk about this one in a little greater detail. In the history of the village we've often found that the Superintendent of Public Works is a skilled employee who has been taken from the ranks to fulfill this head of department role. Unlike the Chief of Police, who's also been appointed from the ranks, the Public Works Superintendent if he, and let's be hopeful, she in the future was not reappointed, they do not have the ability to go back into the ranks of the employees; the Police Chief does. If the Police Chief is not reappointed they have the opinion of going back into the ranks, I'm assuming to return to their specific position. We thought that it was very important for not only public safety and health, but if you in fact believe that you have an employee who has the skills, the knowledge and the leadership qualities to serve as the head of a department,

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that in fact you would not want to squander those skills if they no longer served as your Superintendent; so that is what I address.

I 22; some of the trustees have been out and about walking in the village, talking to people and one of the issues that was raised from residents on the eastside of Harwood Heights were complaints about dogs being off lease and dog excrement being uncollected. So item I 22 simply requests the installation of signs at the 6500 block of Forest Preserve Drive and the 6400 block of Sunnyside that simply reminds residents about our lease law and about scooping poop. I don't think we used scooping poop but we did find a sign that suggested that.

I'd also like to draw your attention to items I 15 and I 16; these are the agenda items that specifically address RedSpeed. I was somewhat perplexed in that I had asked the Mayor when planning the ordinance meeting if she had anything to put on the agenda. I certainly had hoped that at either a Committee Meeting of the Whole or at a meeting of the Ordinance Committee that the trustees would have the opportunity to discuss as a group, RedSpeed. We've certainly attended meetings and had presentations but we haven't had a chance to truly deliberate, is this direction in which the village should go.

Other items that were addresses at our Ordinance Committee meeting; truck parking, I continue to receive emails and notes from residents about truck parking. We probably spent a good portion of the committee meeting discussing options. Certainly the most drastic option would be is to take the route that Norridge had, which is to completely ban truck parking from the residential streets. We also talked about ways in which we might incentivize residents or truck owners not to use our streets for their parking. So, we're still planning that, I think what we're going to do is propose several options and then get input from the residents.

We also discussed handicap parking spaces. I came in the other day and talked to one of the staff members' who maintains the files and it turns out that a number of the handicap permits have expired and the parking spaces are still in effect. So we need to do some kind of routine cleaning, review of those spaces because as residents no longer need the spaces, sometimes they haven't been coming forward to the village and suggesting that they no longer need that space and that the signs can be removed so that their neighbors can now park as well.

Trustee Dobrzycki once again placed on the agenda that we need to once again revisit the idea about driving while distracted, so we all can once again consider cell phones; I think putting on mascara, reading papers. Trustee Dobrzycki has a wealth of examples, so that concludes my comments for the evening.

Finance
Sewer & Water
Trustee Szlendak

The Finance Committee; once again, we had a meeting to discuss the veto of the appropriation. A little background; for the first two years that I was on the board the trustees met, discussed the ordinances; the Mayor was present, the Department Heads were there, the line items were discussed and the process was relatively short compared to what's going on now. Last year, the Department Heads came in; we looked at it, we realized the challenge, the major challenge that was facing our village. We made the cuts, some of them were unpopular but unfortunately they had to be made. This year, the Department Heads, we had one meeting with our Treasurer and our Accountant and we met with the Public Works. Unfortunately, other meetings the Mayor forbid the Department Heads to attend the meetings; it only made our work that much harder.

Two other items which were important ones, number one, the creation of a special, I called it the SSA General Fund; another name for it could be the Streetscape Accounting. What we wanted to do is, in fact we were told by our Treasurer, to properly account for that project we needed to know exactly where the money was coming from and where it was going. That's exactly what we did. The Mayor claimed that we commingled the funds to pay off the bonds, we did not; we had a separate line item; it was made in the amendment. The other item that was discussed and as our former trustee, Roy Schmidt pointed out, that we're taking the money out of restricted MFT Funds and moving those funds into our General Funds. Today, Roy Schmidt asked why and why now? Well, why now is because according to our accountant we could run into a cash flow problem at the end of this year. What we wanted to do is we wanted to move these funds into our unrestricted General Fund so we could pay the bills for the streetscape, because we were going to have to take the money from a number of sources in order to pay for the project and the bills will start coming due very, very shortly.

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The Mayor said that it is illegal for us to do this, I checked with the Illinois Department of Transportation and they basically said all you need is a resolution to move the funds; they approve it and that's that.

So, I urge the trustees to vote to override the Mayor's veto.

Clerk's Report

Clerk Larson

No Report

Attorney's Report

No Report

F. TRUSTEE COMMENTS

Trustee Szlendak: I would like to make a comment about the cameras, the Redlight cameras. I hate any kind of a Big Brother watching over us. The unfortunate thing that I discovered after the last meeting with Redlight, in the public meeting, was that if we don't put them in, Cook County is looking to putting them in instead of us. If they do put them in then our residents will have to go downtown in order to fight for their rights. I think by having our Police Department review the violation and our residents being able to question the Police Department why they made their decision, they have a much better chance of beating the fine if it's worth it and that's the reason that I'm going to vote for it.

Trustee Dobrzycki: Just a couple items; I do want to say that, as I mentioned earlier, I was not at the traffic safety stop but this was the first one that I missed since they started; family obligations prevented me from attending.

Also, comments concerning the U-verse box on Newcastle. I just wanted to remind everyone that the Building Commissioner did state that he did hold, for some period of time, the permit on that until AT&T started to question him about that.

I also want to say, ever since I started on the board here, I've always called and spoke to the Mayor as in this occasion, I called and asked her and did find out that she wasn't going to be in attendance. And since I first started serving, I regularly called the Mayor or contacted the Mayor via memo, whether that was the previous Mayor, Mayor Pabich or our current Mayor. I've always tried to communicate; I've tried to contact the other trustees on various issues from time to time when things would come up and I am willing to and have always been working with everyone to the best of my ability.

G. SPECIAL COMMITTEE REPORTS

H. APPOINTMENTS/REAPPOINTMENTS

Motion by Trustee Dobrzycki, seconded by Trustee Mougolias

To concur with the Mayor's appointment of Robert McManaman Sr. as the part-time Handyman/Code Enforcement Officer for the term ending 4/30/09 at a salary of \$6,000.00 annually.

A roll call vote resulted as follows:

A YES: Trustee Dobrzycki, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN: Trustee Gadzinski

ABSENT:

Motion Carried

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I. CONSENT AGENDA

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items: I 1 - I 30:

Trustee Szlendak pulled items I 18 & I 26 for a separate vote.

Trustee Schuepfer pulled items I 15 & I 16 for a separate vote.

Trustee Dobrzycki pulled items I 21 & I 23 for a separate vote.

Motion by Trustee Dobrzycki, seconded by Trustee Gadzinski on Consent Agenda items I 1-14, I 17, I 19-20, I 22, I 24-25 & I 27-30:

1. To approve the regular minutes of the Board of Trustees meeting held August 14, 2008.
2. To approve the Special Board Meeting Minutes for Special Garbage Pick-up held on August 18, 2008.
3. To approve expenditure, not to exceed \$4,720.03, payable to ADT Security Services for quarterly billing 9-1-08 thru 11-30-08 expensed to line item 11-05-00-9008 – Police.
4. To approve expenditure, not to exceed \$3,410.00, payable to Robert W. Hendricksen for 3 tree removals and 9 trees to be trimmed, expensed to line item 11-04-00-7050 – Forestry.
5. To approve expenditure, not to exceed \$2,820.00, payable to Robert W. Hendricksen for 3 tree removals and 1 tree to be trimmed, expensed to line item 11-04-00-7050 – Forestry.
6. To approve a reimbursement to NYA Football in the amount of \$40.00 per player registered who is from Harwood Heights for the 2008 football season.
7. To approve expenditure, not to exceed \$1,350.00 to pay Gymnastics coach for 1st 4 sessions, amount depends on # of participants, to be expensed to line item 11-08-00-7033 – Recreation.
8. To approve expenditure, not to exceed \$540.00 for T-shirts for Soccer Program to be expensed to line item 11-08-00-7036 – Recreation.
9. To approve expenditure, not to exceed \$350.00 for T-shirts for Volleyball Program to be expensed to line item 11-08-00-7034 – Recreation.
10. To approve expenditure, not to exceed \$450.00 for T-shirts for Bowling Program to be expensed to line item 11-08-00-7039 – Recreation.
11. To approve expenditure, not to exceed \$130.00 for Bowling Software for USBC, to be expensed to line item 11-08-00-7039 – Recreation.
12. To approve expenditure, not to exceed \$800.00 for USBC Bowling Sanction to be expensed to line item 11-08-00-7039 – Recreation.
13. Motion to hire Cassie Baker as new soccer coach at \$20.00 per hour class expensed to line item 11-08-00-7036 pending necessary background checks, and to re-hire Carol McNamara as gymnastics coach at \$40.00 per participant expensed to line item 11-08-00-7033, re-hire Pablo Perdomo as soccer coach at \$20.00 per hour class expensed to line item 11-08-00-7036, re-hire Cori Hilton as volleyball coach at \$25.00 per class hour expensed to line item 11-08-00-7034 - Recreation
14. To authorize the Village Board to approve expenditure not to exceed \$1,500.00 for flood grant application for 7433 W. Carmen Avenue line item 22-00-00-7075 to be expensed to the FY/08/09 pending approval of all permits and inspections.
17. To adopt An Illinois Department of Transportation Resolution for Improvement by Municipality Under the Illinois Highway Code for work related to Lawrence Avenue in the amount of \$275,000.

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19. To amend the parking regulations on the West side of 4700 block of Oketo from Lawrence to Leland to allow parking only on Thursdays and direct Public Works to replace signage. Signage to read: No Parking from 8:00 am – 5:00 pm except on Thursday.
20. To approve the placement of stop signs on Northbound and Southbound Oketo at Leland and direct Public Works to erect signs.
22. To approve the placement of 3 signs along the 6500 block of Forest Preserve Drive and the 6400 block of Sunnyside. Signage to reference: Ordinance 6.08.030 with leash requirement and removal of feces by owner.
24. Motion to adopt **Ordinance 08-20** - The 2008-2009 Appropriation Ordinance for the Village of Harwood Heights, Cook County, Illinois notwithstanding the Mayor's veto.
25. To approve an expenditure in the amount of \$783.75, payable to Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C. for invoice 12324 for the March, 2008 amended billing expensed to line item 11-02-00-7057 FY 07/08.
27. To approve the removal of a Handicap Parking sign at the address commonly known as 4744 N. Newland and to direct Public Works to remove the sign in a timely manner.
28. Transfer from Parkway General Savings Account in the amount of \$204,115.36 as they appear on check register #45138 thru #45201.
29. Transfer from Parkway General Savings Account in the amount of \$135,328.76 to Parkway Bank Payroll Account.
30. Electronic Transfer from Parkway General Savings Account in the amount of \$10,382.69 for July IMRF Pension Fund.

A roll call vote on Consent Agenda items I 1-14, I 17, I 19-20, I 22, I 24-25 & I 27- 30 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

ITEMS PULLED FROM THE CONSENT AGENDA

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 15:

15. To Approve a Waiver of Review by the Ordinance and Legislation Committee pursuant to Section 2.12.220 of the Harwood Heights Village Code of **Ordinance 08- 16**, An Ordinance Amending the Harwood Heights Village Code to Adopt An Automatic Traffic Law Enforcement System.

A roll call vote on Consent Agenda item I 15 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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Motion by Trustee Dobrzycki, seconded by Trustee Gadzinski on Consent Agenda item I 16:

16. To adopt Ordinance 08 -16, An Ordinance Amending the Harwood Heights Village Code to Adopt An Automatic Traffic Law Enforcement System.

A roll call vote on Consent Agenda item I 16 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Schuepfer, Szlendak

NAYS: Trustee Mougolias

ABSTAIN:

ABSENT:

Motion Carried

Motion by Trustee Dobrzycki, no second; Motion Failed on Consent Agenda item I 18:

18. To direct Christopher Burke Engineering to complete the bid documents for the Oak Park Water main project for spring 2009 in the amount not to exceed \$5,000 for the project planned for fiscal year 2009-2010 water/sewer fund and a \$65,000 CDBG grant already approved, \$5,000, FY 08-09, 22-00-00-9010.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 21:

21. To adopt Ordinance 08-23, an ordinance concerning the position of Public Works Superintendent.

A roll call vote on Consent Agenda item I 21 resulted as follows:

A YES: Trustee Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS: Trustee Dobrzycki

ABSTAIN:

ABSENT:

Motion Carried

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 23:

23. Motion to reconsider Ordinance 08-20 - The 2008-2009 Appropriation Ordinance for the Village of Harwood Heights, Cook County, Illinois.

A roll call vote on Consent Agenda item I 23 resulted as follows:

A YES: Trustee Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

PRESENT: Trustee Dobrzycki

ABSTAIN:

ABSENT:

Motion Carried

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 26:

Motion to Table by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 26:

26. To approve expenditure, not to exceed \$7,130.85, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., \$1,000.00 expensed to line item 11-02-00-7050 retainer, \$3,489.90 expensed to line item 11-02-00-7051 Legal, \$822.95 expensed to line item 11-07-00-7036 Bldg. Legal, \$660.00 expensed to line item 11-05-00-7031 Police Legal, \$907.50 expensed to line item 11-01-00-7022 Water-Legal, \$250.50 expensed to line item 22-00-00-7028 Meter Reading – FY 08/09.

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A roll call vote to Table until after Closed Executive Session on Consent Agenda item I 26 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

J. NEW BUSINESS

None

K. OLD BUSINESS

None

L. CORRESPONDENCE

None

M. OTHER NEW BUSINESS

None

N. TRUSTEE COMMENTS

Trustee Gadzinski: I wish you all a happy, fabulous, safe, enjoyable and relaxing Labor Day weekend. Please do not drink and drive, and make sure to call the police if you see any intoxicated motorists on the street. As Trustee Mougolias pointed out earlier, tomorrow evening there will be another road side check. I strongly believe this is a very positive reinforcement to our community and it sends a very bold message to motorists driving through our town to follow and abide by the laws and regulations. I hope that maybe in the near future we can have more of these roadside stops, every so many months or so; not only on Labor Day or Memorial Day weekends.

Trustee Szlendak: I would like to invite everyone to the Copernicus Center for Taste of Polonia; it's going to be this weekend. Apparently there's going to be a Las Vegas Room, someplace, and please come on in because I'm going to be the Blackjack dealer on Friday.

Trustee Dobrzycki: I second Trustee Szlendak's recommendation and suggestion after serving approximately 10-years as a member of the Board of Directors at the Copernicus Foundation and working with the Taste of Polonia since its initiation, I thoroughly know the work and effort that goes into it.

I'd also, would ask again, the trustees to indulge me in this moment of reflection; once again, a close friend of mine has died. The gentleman, Attorney Les Kuczynski was 61-years old and six months ago he was diagnosed with pancreatic cancer. I have known Les since the early 80's when I first joined the organization called the Chicago Inner Collegiate Counsel. Les was an exemplary individual. He was the General Council of the Polish National Alliance, the largest ethnic fraternal in the United States, Executive Director of the PAC and also head of the International Committee on receiving payments for those who were forced during World War II to work at labor camps in Germany and the Soviet Union. He was also the founder of the Amicus Polonia Volunteer Free Legal Clinic that I now head. He set an example for everyone to follow and he will be dearly missed. Les always told me in a joking manner, he said he believed that, "good, will always prevail."

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Trustee Jezierny: I have also been out at the Copernicus Center for a number of years, and we wish you all to come and join us as we plan to indulge in their festivities.

I do want to say, just a real quick comment about RedSpeed, again, the board has passed the motion that's required for RedSpeed. Keep in mind, as Trustee Szlendak has indicated, that Cook County is looking into it and Cook County could possibly be putting all these RedSpeeds throughout our community. So, I think it's really important, as well as many members of the board, is to go ahead and educate your fellow neighbors, your friends throughout Harwood Heights and have them be aware of the RedSpeeds; where they're located and we're not asking anything more than come to complete stops, make sure you abide by the law and you'll be fine. But, that's the most important thing is safety in our community and we want to make our residents aware of it.

Trustee Gadzinski: Just one more comment about these cameras. Basically, once people start abiding by stopping at stop signs, stopping on red lights, not turning on a red light, stopping before you turn, once they start abiding and all the violations come down in percentage quite a bit, we have the option as a board to take these cameras down. People don't realize, they think that they're going to be up there forever. Now, what other suburbs, to my understanding, and other municipalities do is once, they say it's called training, once that intersection is trained so that people abide by that law to stop on that red light, you can move those lights elsewhere to different intersections as long as they are within city parameters or village limits. So, I once again just say that I hope that it will bring a lot of safety to our town and residents and if everything works out, people learn their lesson and we can move them around or possibly take them out.

Trustee Mougolias: I guess I'll explain myself as to my vote of "no." I don't like the idea of Big Brother watching over the residents of Harwood Heights. I am all for the safety issue and I hope these cameras, since they have been passed, will make Harwood Heights safer. But I have spoken to I would say hundreds of residents, many of which at the Senior Club luncheon, many when they come into my businesses, many walking down the streets of Harwood Heights and many of them do not like these cameras. People do not want the cameras everywhere in the village watching everything we do and I am one of those people. I do not like the idea of the cameras watching everything we do. I understand that Cook County is looking into it, I wish there was a way that we could fight Cook County not to put them in; I take it that maybe there isn't, so the rest of the board has passed it. I will not complain and we can't do anything now but I would have liked to see us take a stand against Cook County and not even let them put them in. But, it's over now, so hopefully it will make us safer and hopefully the residents will be able to at least get a fair shake at trying to defend themselves when they're here, instead of Cook County looking at it just as a revenue builder and trying to write everybody tickets.

Trustee Dobrzycki: I just want to add a quite addendum to that; at the table I sat at the Senior Anniversary luncheon and asked that question, everyone was in agreement that they would like to see the red light; so, once again, a difference of opinion.

Trustee Jezierny: I'll make a quite comment on it, is that throughout the neighborhood to as you're asking people, you do get a split between our residents, those that want it and those that don't; again, it's a decision that the trustees have to make, sometimes it's a tough one. But one rule of thumb that I was looking toward was the public hearing that we had and inviting the residents to come in and hear first hand from the representative from RedSpeed and basically many of the residents that came in, their initial attitude was they do not want it, by the time they left they were in agreement. So, I think there's somewhat of an understanding, just follow the law, just do it. I understand what Trustee Mougolias is saying about a camera looking at you all the time, but when we're backed with Cook County right at our backs that they may do it anyway, we have to look at all those options. So, hopefully you put up with us and let's educate our residents.

O. EXECUTIVE SESSION

Motion to enter into Executive Session: pursuant to (5 ILCS 120/2) Sec. 2. Open meetings © Exceptions. A public body may hold closed meetings to consider the following subjects: (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. And, (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body

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finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Motion by Trustee Dobrzycki, seconded by Trustee Gadzinski to enter into Closed Executive Session at 8:43pm.

A roll call vote to enter into Closed Executive Session resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Closed Executive Session adjourned at 9:10pm.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak to Return to Open Session at 9:12pm; all in favor.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 26:

26. To approve expenditure, not to exceed \$7,130.85, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., \$1,000.00 expensed to line item 11-02-00-7050 retainer, \$3,489.90 expensed to line item 11-02-00-7051 Legal, \$822.95 expensed to line item 11-07-00-7036 Bldg. Legal, \$660.00 expensed to line item 11-05-00-7031 Police Legal, \$907.50 expensed to line item 11-01-00-7022 Water-Legal, \$250.50 expensed to line item 22-00-00-7028 Meter Reading – FY 08/09.

A roll call vote on Consent Agenda item I 26 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:


ABSENT:

Motion Carried

P. ADJOURNMENT

Motion by Trustee Gadzinski, seconded by Trustee Dobrzycki 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 Temporary Chair, Trustee Jezierny on Thursday, August 28, 2008 at 9:15pm.

Respectfully submitted,


Dianne H. Larson, Village Clerk 